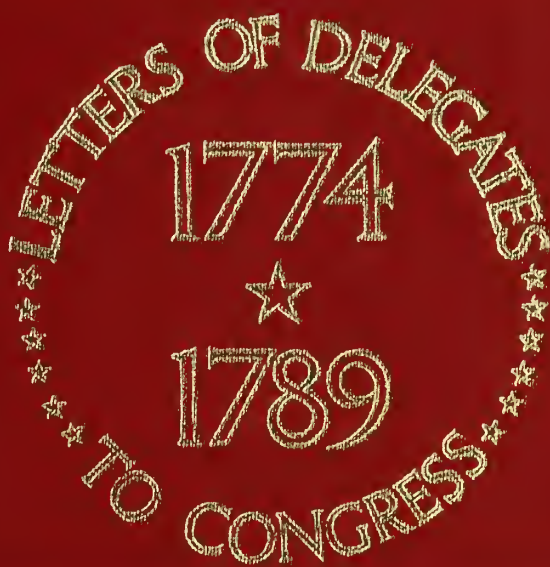
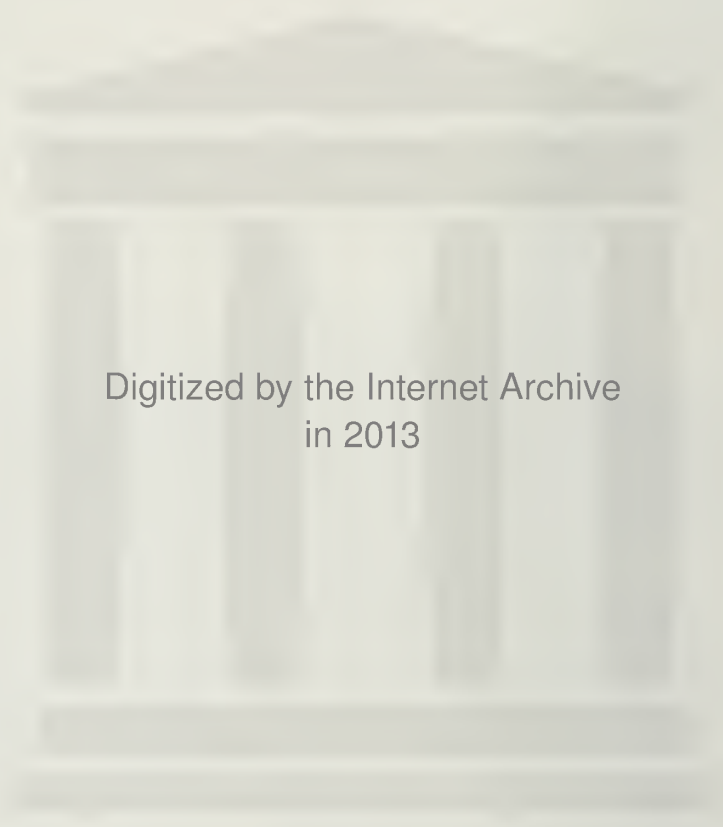




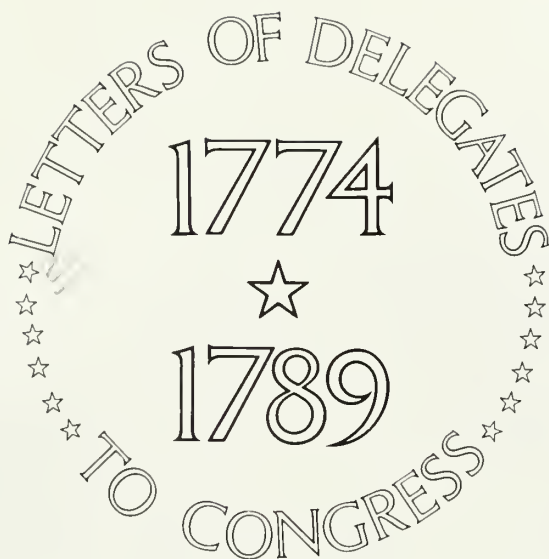






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13

June 1–September 30, 1779

Paul H. Smith, Editor

Gerard W. Gawalt and Ronald M. Gephart
Associate Editors

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Editorial Method and Apparatus

In its treatment of documents this edition of delegate letters strives to achieve a middle ground between facsimile reproduction and thorough modernization. The original spelling and grammar are allowed to stand except where editorial changes or insertions are required to make the text intelligible. For example, when a badly misspelled word is misleading, the correct spelling is inserted in roman type in brackets after the word. Moreover, words omitted through oversight have been supplied at appropriate places in italic type in brackets. Obvious slips of the pen and inadvertent repetitions are usually silently corrected. Capitalization and punctuation have been standardized according to certain conventions. Each sentence begins with a capital letter, as do all proper and geographic names as well as days of the week and months of the year. Doubtful cases have been resolved in favor of modern usage; otherwise the usage of the original texts has been followed. Generally, abbreviations, contractions, and monetary signs are preserved as they appear in manuscript except when they are ambiguous or misleading. On the other hand, the thorn and the tilde are consistently expanded. "Ye" always appears as "The," for instance, and "rẽcvd" as "received." Likewise, "pr." and tailed *p*'s are always expanded to "per," "pre," or "pro," as the case demands. Finally, superscript letters are always lowered to the line.

Gaps in the text are indicated by ellipses in brackets for missing words and by blank spaces in brackets for missing numbers. Conjectural readings are supplied in roman type in brackets, and editorial insertions in italic type in brackets. Material canceled in manuscript but restored to the printed text is included in italic type in angle brackets ("square parentheses"). Marginalia in letters are treated as postscripts if not obviously keyed to the body of the document, and postscripts which appear without explicit designation are supplied with a *P.S.* in brackets. Documents are arranged chronologically, with more than one document of the same date arranged alphabetically according to writer. Documents dated only by the month or by the year are placed at the end of the respective month or year. Place-and-date lines always appear on the same line with the salutation regardless of their position in the manuscript.

A descriptive note at the foot of each entry provides abbreviations indicating the nature and location of the document when it was copied for this project, except for privately owned manuscripts whose ownership is explained. The descriptive note also contains information on the document's authorship if explanation is necessary, and

endorsements or addresses are quoted when they contain more than routine information. Other editorial practices employed in this work are explained in the sections on editorial apparatus which follow.

TEXTUAL DEVICES

The following devices will be used in this work to clarify the text.

[. . .], [. . . .]	One or two words missing and not conjecturable.
[. . .] ¹ , [. . . .] ¹	More than two words missing; subjoined footnote estimates amount of material missing.
[]	Number or part of a number missing or illegible.
[] ¹	Blank space in manuscript; explanation in subjoined footnote.
[roman]	Conjectural reading for missing or illegible matter; question mark inserted if reading is doubtful.
[<i>italic</i>]	Editorial insertion in the text.
< <i>italic</i> >	Matter crossed out in manuscript but restored.

DESCRIPTIVE SYMBOLS

The following symbols are used in this work to describe the kinds of documents drawn upon. When more than one symbol is used in the descriptive note, the first to appear is that from which the main text is taken.

RC	recipient's copy
FC	file copy
LB	letterbook copy
MS	manuscript
Tr	transcript (used to designate not only contemporary and later handwritten copies of manuscripts, but also printed documents)

LOCATION SYMBOLS

The following symbols, denoting institutions holding the manuscripts printed in the present volume, are taken from *Symbols of American Libraries*, 12th ed. (Washington: Library of Congress, 1980). Each volume of this edition will contain a revised list.

CCamarSJ	Saint John's Seminary, Camarillo, Calif.
CSmH	Henry E. Huntington Library, San Marino, Calif.
Ct	Connecticut State Library, Hartford
CtHi	Connecticut Historical Society, Hartford
CtLHi	Litchfield Historical Society, Litchfield, Conn.
CtY	Yale University, New Haven

DLC	Library of Congress
DLC(ESR)	Library of Congress, Early State Records Collection
DNA	National Archives and Records Administration
DeHi	Historical Society of Delaware, Wilmington
G-Ar	Georgia State Archives, Atlanta
ICHi	Chicago Historical Society
ICN	Newberry Library, Chicago
InU-Li	Lilly Library, Indiana University, Bloomington
M-Ar	Massachusetts Archives, Boston
MB	Boston Public Library
MDaAr	Danvers Historical Society, Danvers, Mass.
MH-H	Harvard University, Houghton Library
MHi	Massachusetts Historical Society, Boston
MdAA	Maryland Hall of Records, Annapolis
MdBJ-G	John Work Garrett Library, Johns Hopkins University, Baltimore, Md.
MdHi	Maryland Historical Society, Baltimore
MeHi	Maine Historical Society, Portland
MiU-C	William L. Clements Library, Ann Arbor, Mich.
N	New York State Library, Albany
NCooHi	New York State Historical Association, Cooperstown
NHi	New-York Historical Society, New York
NN	New York Public Library, New York
NNC	Columbia University, New York
NNPM	Pierpont Morgan Library, New York
NRom	Jervis Library Association, Rome, N.Y.
Nc-Ar	North Carolina State Department of Archives and History, Raleigh
NcU	University of North Carolina, Chapel Hill
Nh-Ar	New Hampshire Division of Archives and Records Management, Concord
NhD	Dartmouth College, Hanover, N.H.
NhHi	New Hampshire Historical Society, Concord
Nj	New Jersey State Library, Trenton
NjMoHP	Morristown National Historical Park, Morristown, N.J.
NjR	Rutgers University, New Brunswick, N.J.
OCIWhi	Western Reserve Historical Society, Cleveland, Ohio
PCarID	Dickinson College, Carlisle, Pa.
PHC	Haverford College, Haverford, Pa.
PHi	Historical Society of Pennsylvania, Philadelphia
PPAmP	American Philosophical Society, Philadelphia
PPRF	Rosenbach Foundation, Philadelphia
PPiU	University of Pittsburgh, Pittsburgh, Pa.
PU	University of Pennsylvania, Philadelphia
R-Ar	Rhode Island State Archives, Providence
RPJCB	John Carter Brown Library, Providence

ScC	Charleston Library Society, Charleston, S.C.
ScHi	South Carolina Historical Society, Charleston
Vi	Virginia State Library, Richmond
ViHi	Virginia Historical Society, Richmond
ViU	University of Virginia, Charlottesville
WHi	State Historical Society of Wisconsin, Madison

ABBREVIATIONS AND SHORT TITLES

- Adams, *Family Correspondence* (Butterfield)
 Butterfield, Lyman H., et al., eds. *Adams Family Correspondence*.
 Cambridge: Harvard University Press, Belknap Press, 1963—.
- Adams, *Papers* (Taylor)
 Taylor, Robert J., et al., eds. *Papers of John Adams*. Cambridge:
 Harvard University Press, Belknap Press, 1977—.
- Bio. Dir. Cong.*
 U.S. Congress. *Biographical Directory of the American Congress, 1774–1971*. Washington: U.S. Government Printing Office, 1971.
- Burnett, *Letters*
 Burnett, Edmund C., ed. *Letters of Members of the Continental Congress*.
 8 vols. Washington: Carnegie Institution of Washington, 1921–36.
- Clinton, *Papers* (Hastings)
 Clinton, George. *Public Papers of George Clinton, First Governor of New York, 1777–1795, 1801–1804*. Edited by Hugh Hastings, and J. A. Holden. 10 vols. New York and Albany: Wynkoop Hallenbeck Crawford Co. et al., 1899–1914.
- DAB
Dictionary of American Biography. Edited by Allen Johnson and Dumas Malone.
- Deane *Papers* (NYHS Colls.)
 Deane, Silas. *The Deane Papers*. 5 vols. New-York Historical Society Collections, vols. 19–23. New York: New-York Historical Society, 1886–90.
- Evans, *Am. Bibliography*
 Evans, Charles. *American Bibliography*. 12 vols. Chicago: Privately printed, 1903–34.
- Freeman, *Washington*
 Freeman, Douglas S. *George Washington, a Biography*. 7 vols. New York: Charles Scribner's Sons, 1948–57.
- Gérard, *Dispatches* (Baisnée and Meng)
 Baisnée, Jules A., and Meng, John J., trans., "Philadelphia and the Revolution: French Diplomacy in the United States, 1778–1779," *Records of the American Catholic Historical Society of Philadelphia*, vols. 56–59, 1945–48, passim.
- Jay, *Papers* (Morris)
 Jay, John. *John Jay; The Making of a Revolutionary: Unpublished Papers*,

1745–1780. Edited by Richard B. Morris et al. New York: Harper & Row, 1975.

Jefferson, *Papers* (Boyd)

Jefferson, Thomas. *The Papers of Thomas Jefferson*. Edited by Julian P. Boyd et al. Princeton: Princeton University Press, 1950–.

JCC

U.S. Continental Congress. *Journals of the Continental Congress, 1774–1789*. 34 vols. Edited by Worthington C. Ford et al. Washington: Library of Congress, 1904–37.

Lee, *Letters* (Ballagh)

Lee, Richard Henry. *The Letters of Richard Henry Lee*. Edited by James C. Ballagh. 2 vols. New York: Macmillan Co., 1911–14.

Md. Archives

Archives of Maryland. Edited by William H. Browne et al. Baltimore: Maryland Historical Society, 1883–.

Meng, *Gérard Despatches*

Gérard, Conrad Alexandre. *Despatches and Instructions of Conrad Alexandre Gérard*. Edited by John J. Meng. Baltimore: Johns Hopkins Press, 1939.

N.C. State Records

North Carolina. *The State Records of North Carolina*. Edited by Walter Clark. Vols. 11–26. Winston and Goldsboro, N.C.: N.I. and J.C. Stewart et al., 1895–1914.

N.H. State Papers

New Hampshire. *Provincial and State Papers*. 40 vols. Concord, 1867–1943.

N.J. Archives

New Jersey Historical Society. *Documents Relating to the Colonial, Revolutionary, and Post-Revolutionary History of the State of New Jersey*. Archives of the State of New Jersey. 1st series. 42 vols. Newark and Paterson, N.J., 1880–1949.

Pa. Archives

Pennsylvania Archives. 9 series, 119 vols. in 120. Philadelphia: J. Severns & Co., 1852–56; Harrisburg: State printer, 1874–1935.

Pa. Council Minutes

Pennsylvania. *Minutes of the Supreme Executive Council of Pennsylvania, from Its Organization to the Revolution*. 6 vols. [*Colonial Records of Pennsylvania*, vols. 11–16]. Harrisburg: Theo. Fenn & Co., 1852–53.

Paine, *Writings* (Foner)

Paine, Thomas. *The Complete Writings of Thomas Paine*. Edited by Philip S. Foner. 2 vols. New York: Citadel Press, 1945.

Paullin, *Marine Committee Letters*

Paullin, Charles O., ed. *Out-Letters of the Continental Marine Committee and Board of Admiralty, 1776–1780*. 2 vols. New York: Printed for the Naval History Society by the De Vinne Press, 1914.

PCC

Papers of the Continental Congress. National Archives and Records Administration. Washington, D.C.

PRO

Public Record Office. London.

Risch, *Supplying Washington's Army*

Risch, Erna. *Supplying Washington's Army*. Washington: Government Printing Office, 1981.

Rodney, *Letters* (Ryden)

Rodney, Caesar. *Letters to and from Caesar Rodney, 1756–1784*. Edited by George H. Ryden. Philadelphia: University of Pennsylvania Press, 1933.

Washington, *Writings* (Fitzpatrick)

Washington, George. *The Writings of George Washington*. Edited by John C. Fitzpatrick. 39 vols. Washington: U.S. Government Printing Office, 1931–44.

Wharton, *Diplomatic Correspondence*

Wharton, Francis, ed. *The Revolutionary Diplomatic Correspondence of the United States*. 6 vols. Washington: Government Printing Office, 1889.

Wright, *The Continental Army*

Wright, Robert K., Jr. *The Continental Army*. Washington: Center of Military History, United States Army, Government Printing Office, 1983.

Acknowledgments

This edition began in 1970 as a project of the Library of Congress American Revolution Bicentennial Office, now incorporated into the Library's Manuscript Division as the Historical Publications Office. The Library has had a long tradition of publishing scholarship on the period of the American Revolution. Its monumental edition of the *Journals of the Continental Congress, 1774–1789* (34 vols., Washington, 1904–37) is a predecessor, and will be a companion, of the present work. The editors wish to thank the Ford Foundation for a substantial gift that has been indispensable to the progress of the edition. Our appreciation is also extended to the innumerable persons who have contributed to enriching the holdings of the Library of Congress to make it the premier institution for conducting research on the American Revolution.

The photocopies of the more than twenty-two thousand documents that have been collected for this project have been assembled through the cooperation of several hundred institutions and private individuals devoted to preserving the documentary record upon which the history and traditions of the American people rest, and it is to their work that a documentary publication of this nature should ultimately be dedicated. Unfortunately, the many individual contributors to this collecting effort cannot be adequately recognized, but for permission to print documents appearing in the present volume we are especially grateful to the following institutions: the American Philosophical Society, Archives du ministère des affaires étrangères (Paris), Archivo General de Indias (Seville), Boston Public Library, John Carter Brown Library, Charleston Library Society, Chicago Historical Society, William L. Clements Library, Columbia University, Connecticut Historical Society, Connecticut State Library, Danvers Historical Society, Dartmouth College, Historical Society of Delaware, Dickinson College, John Work Garrett Library, Georgia State Archives, Harvard University, Haverford College, Henry E. Huntington Library, Indiana University, Jervis Library Association, Litchfield Historical Society, Maine Historical Society, Maryland Hall of Records, Maryland Historical Society, Massachusetts Archives Division, Massachusetts Historical Society, Pierpont Morgan Library, Morristown National Historical Park, National Archives and Records Administration, Newberry Library, New Hampshire Division of Archives and Records Management, New Hampshire Historical Society, New Jersey State Library, New-York Historical Society, New York Public Library, New York State Historical Association, New

York State Library, North Carolina State Department of Archives and History, University of North Carolina, Historical Society of Pennsylvania, University of Pennsylvania, University of Pittsburgh, Public Record Office (London), Rhode Island State Archives, Rosenbach Foundation, Rutgers University, Saint John's Seminary, South Carolina Historical Society, Virginia Historical Society, Virginia State Library, University of Virginia, Western Reserve Historical Society, State Historical Society of Wisconsin, and Yale University. And in addition we express our thanks and appreciation to the following persons: Mr. Sol Feinstein, Mr. John F. Reed, and Capt. J. G. M. Stone.

This work has benefited not only from Edmund C. Burnett's path-finding eight-volume edition of *Letters of Members of the Continental Congress* but also from the generous cooperation of the editors of several other documentary publications with a common focus on the revolutionary era. From them the Library has borrowed heavily and to them it owes a debt it can never adequately acknowledge. It is a pleasure to give special thanks to the editors of the papers of John Adams, Benjamin Franklin, Thomas Jefferson, Henry Laurens, James Madison, and George Washington. Finally we owe thanks to the historians who served on the Advisory Committee on the Library's American Revolution Bicentennial Program, and especially to Mr. Julian P. Boyd, Mr. Lyman H. Butterfield, and Mr. Merrill Jensen, who generously acted as an advisory committee for the *Letters* project.

Paul H. Smith
Historical Publications Office
Manuscript Division

Chronology of Congress

JUNE 1–SEPTEMBER 30, 1779

June 1	Resolves to send a committee to Vermont.
June 3	Debates peace terms (fisheries).
June 4	Resolves to emit additional \$10 million.
June 5	Adopts plan to fund Beaumarchais' claims.
June 7	Adopts vote of confidence in quartermaster and commissary generals (refuses to accept Commissary Jeremiah Wadsworth's resignation); appoints committee to consider powers of foreign consuls.
June 8	Recalls Ralph Izard and William Lee, American commissioners abroad.
June 10	Debates Arthur Lee's recall.
June 11	Resolves to borrow \$20 million domestically at 6 percent interest.
June 12	Exonerates Dr. John Morgan.
June 14	Debates price regulation proposals.
June 15	Directs Washington to investigate charges against Dr. William Shippen, Jr.; prepares request for supplies from king of France.
June 16	Denounces seizure of New York officials by inhabitants of the New Hampshire Grants.
June 17	Debates peace terms; reaffirms French alliance provisions prohibiting negotiation of separate peace.
June 19	Debates peace terms (fisheries).

- June 21 Reverses plan to enlist German deserters; debates financial reform.
- June 23 Debates financial reform.
- June 24 Debates peace terms (fisheries).
- June 25 Debates financial reform.
- June 28 Rejects quartermaster appeal for relief from state taxes.
- July 1 Debates peace terms (fisheries).
- July 2 Sets procedures for exchanging withdrawn emissions of Continental currency.
- July 6 Approves export of provisions for French fleet; debates peace terms (fisheries).
- July 7 Debates financial reform.
- July 9 Orders investigation of commissary and quartermaster purchasing practices.
- July 12 Confers with French Minister Gérard; receives report from two members of Vermont Committee.
- July 13 Receives report from other two members of Vermont Committee.
- July 14 Debates substance of conference with French minister.
- July 15 Orders retaliation for British mistreatment of naval prisoners.
- July 16 Receives Arthur Lee's response to charges by Silas Deane.
- July 17 Resolves to emit additional \$15 million; threatens retaliation for British mistreatment of Capt. Gustavus Conyngham; debates peace terms (fisheries).

July 19	Directs Marine Committee to prepare plan of retaliation for recent raids on Connecticut.
July 21	Recommends compensation for Portuguese vessel illegally seized by American privateer.
July 22	Debates peace terms (fisheries).
July 23	Adopts plan for the protection of Continental property within the states.
July 24	Debates peace terms (fisheries).
July 26	Commends victors for capture of British post at Stony Point.
July 27	Orders Virginia reinforcements to South Carolina.
July 28	Debates financial reform.
July 29	Debates peace terms (fisheries).
July 30	Adopts ordinance for reorganizing the treasury.
July 31	Debates peace terms (fisheries).
August 2	Exonerates Jean Holker of charges of profiteering, and reaffirms Continental protection for French consuls and other officials.
August 3	Debates peace terms (French alliance provision against separate peace).
August 5	Debates peace terms (re Spanish subsidy, Florida, and navigation of the Mississippi).
August 6	Authorizes payment of Silas Deane's expenses and releases him from obligation to remain in America.
August 7	Debates peace terms (re Spanish interests in North America).

August 10	Requests North Carolina reinforcements for South Carolina.
August 13	Debates instructions for minister plenipotentiary to negotiate peace.
August 14	Debates instructions for minister plenipotentiary to negotiate peace.
August 17	Urges states to provide half pay for Continental officers.
August 18	Augments pay and allowances for Continental officers.
August 21	Requests states to extend provisions embargo to January 1, 1780.
August 25	Urges states to lift restrictions on interstate inland trade.
August 26	Appoints committee for creating a supreme court for admiralty appeals.
August 28	Debates financial reform.
August 31	Receives Henry Laurens' complaint against Secretary Thomson for disrespectful behavior.
September 1	Resolves that "on no account whatever" will Congress emit more than \$200 million Continental currency.
September 3	Receives notice that Minister Gérard will return to France.
September 4	Observes death of William Henry Drayton.
September 7	Receives notification of Spanish entry into the war against Britain; adopts farewell response to Gérard.
September 9	Adopts letter of thanks to king of France; debates terms of prospective alliance with Spain.

September 10	Issues appeal to states for clothing; debates relations with Spain.
September 11	Debates relations with Spain.
September 14	Reads memorials of Indiana and Vandalia land companies.
September 16	Debates ways and means proposals.
September 17	Conducts farewell audience for Gérard; resolves to emit additional \$15 million; debates relations with Spain; debates ways and means proposals.
September 18	Debates relations with Spain.
September 20	Orders military and naval reinforcements for southern department; debates relations with Spain.
September 21	Debates ways and means proposals.
September 22	Debates New Hampshire Grants claims.
September 23	Debates New Hampshire Grants claims; debates relations with Spain.
September 24	Requests authorization from Massachusetts, New Hampshire, and New York to mediate New Hampshire Grants claims; commends victors for attack on Paulus Hook; debates relations with Spain.
September 25	Debates relations with Spain and conduct of peace negotiations.
September 26	Nominates ministers plenipotentiary to negotiate treaties of peace and of alliance with Spain.
September 27	Elects John Jay minister to Spain and John Adams to negotiate peace.
September 28	Elects Samuel Huntington president of Congress; adopts commissions and instructions for John Adams and John Jay.

List of Delegates to Congress

This section lists both the dates on which delegates were elected to terms falling within the period covered by this volume and the inclusive dates of their attendance. The former are generally ascertainable from contemporary state records, but the latter are often elusive bits of information derived from the journals of Congress or extrapolated from references contained in the delegates' correspondence, and in such cases the "facts" are inevitably conjectural. It is not possible to determine interruptions in the attendance of many delegates, and no attempt has been made to record interruptions in service caused by illness or brief trips home, especially of delegates from New Jersey, Delaware, Maryland, and Pennsylvania living within easy access of Congress. For occasional references to such periods of intermittent service as survive in the correspondence and notes of various delegates, see the index under individual delegates. Until fuller information is provided in a consolidated summary of delegate attendance in the final volume of this series, the reader is advised to consult Burnett, *Letters*, 4:xlix-lxvi, for additional information on conjectural dates of attendance. Brief biographical sketches of all the delegates are available in the *Biographical Directory of the American Congress, 1774-1971*, and fuller sketches of more than half of the delegates can be found in the *Dictionary of American Biography*.

CONNECTICUT

Eliphalet Dyer

Elected: October 21, 1778

Did not attend June to September 1779

Oliver Ellsworth

Elected: October 21, 1778

Did not attend June to September 1779

Titus Hosmer

Elected: October 21, 1778

Did not attend in 1779

Samuel Huntington

Elected: October 21, 1778

Attended: June 1 to September 30, 1779

Jesse Root

Elected: October 21, 1778

Attended: August 12 to September 30, 1779

Roger Sherman

Elected: October 21, 1778

Attended: June 1 to July 10; September 29–30, 1779

Joseph Spencer

Elected: January 7, 1779

Attended: June 1 to September 17, 1779

DELAWARE

John Dickinson

Elected: January 18, 1779

Attended: June 1 to September 28? 1779

Thomas McKean

Elected: January 18, 1779

Attended: June 11 to September 14?; September 26, 1779

Nicholas Van Dyke

Elected: January 18, 1779

Attended: July 17? to August 6, 1779

GEORGIA

Georgia was not represented during the period June to September 1779. The invasion of the state in December 1778 had thrown civil government into chaos and obstructed the routine election of delegates. The credentials of delegates chosen in 1778 had expired early in 1779, and although as many as three slates of delegates were appointed by rump conventions, councils, and assemblies during the year, none ever reached Philadelphia. The state was not again represented in Congress until May 15, 1780, when three of the five delegates elected by the Georgia assembly in January 1780 presented their credentials.

MARYLAND

William Carmichael

Elected: November 13, 1778

Attended: June 1 to September 29, 1779

James Forbes

Elected: November 13, 1778

Attended: July 12 to September 30, 1779

John Henry

Elected: November 13, 1778

Attended: June 1 to August 4, 1779

Daniel of St. Thomas Jenifer

Elected: November 13, 1778

Attended: June 1 to July 3; September 14–30, 1779

William Paca

Elected: November 13, 1778

Attended: June 4–10, 18–25?; August 23 to September 8;
September 25–30, 1779

George Plater

Elected: November 13, 1778

Attended: June 1–8, 1779

MASSACHUSETTS

Samuel Adams

Elected: October 8, 1778

Attended: June 1–14, 1779

Francis Dana

Elected: October 8, 1778

Did not attend in 1779

Timothy Edwards

Elected: October 8, 1778

Did not attend Congress

Elbridge Gerry

Elected: October 8, 1778

Attended: June 1 to September 30, 1779

John Hancock

Elected: October 8, 1778

Did not attend in 1779

Samuel Holten

Elected: October 8, 1778

Attended: June 1 to September 30, 1779

James Lovell

Elected: October 8, 1778

Attended: June 1 to September 30, 1779

George Partridge

Elected: June 29, 1779

Attended: August 20 to September 30, 1779

Artemas Ward

Elected: June 4, 1779

Did not attend in 1779

NEW HAMPSHIRE

Nathaniel Folsom

Elected: March 24, 1779

Did not attend June to September 1779

George Frost

Elected: August 18, 1778

Did not attend June to September 1779

Woodbury Langdon

Elected: April 3, 1779

Attended: September 3–17, 27–30, 1779

Nathaniel Peabody

Elected: March 25, 1779

Attended: June 22 to September 30, 1779

Joshua Wentworth

Elected: April 1, 1779

Did not attend Congress

William Whipple

Elected: August 18, 1778

Attended: June 1 to September 24? 1779

NEW JERSEY

Abraham Clark

Elected: May 25, 1779

Did not attend in 1779

John Fell

Elected: November 6, 1778

Attended: June 1 to August 17; August 30 to September 30, 1779

William C. Houston

Elected: May 25, 1779

Attended: July 9 to September 30, 1779

Nathaniel Scudder

Elected: November 6, 1778

Attended: June 1 to July 10; August 5 to September 17, 1779

John Witherspoon

Elected: November 6, 1778

Attended: June 1 to July 16?; August 25–30?; September 17? 1779
(on mission with Vermont Committee, ca. June 4 to July 9, 1779)

NEW YORK

James Duane

Elected: October 16, 1778

Attended: June 1 to August 16, 1779

William Floyd

Elected: October 16, 1778

Attended: June 1–9, 1779

John Jay

Elected: February 4, 1779; August 26, 1779

Attended: June 1 to September 28, 1779

Francis Lewis

Elected: October 16, 1778

Attended: June 3 to September 30, 1779

Gouverneur Morris

Elected: October 16, 1778

Attended: June 1 to August 25, 1779

Philip Schuyler

Elected: October 16, 1778

Did not attend June to September 1779

NORTH CAROLINA

Thomas Burke

Elected: August 12, 1778

Attended: June 1 to August 14, 1779

Cornelius Harnett

Elected: April 25, 1778; May 8, 1779

Attended: July 26 to September 30, 1779

Joseph Hewes

Elected: February 4, 1779

Attended: July 22 to September 4?; September 20–30, 1779

Whitmell Hill

Elected: August 12, 1778

Did not attend June to September 1779

John Penn

Elected: April 25, 1778; May 8, 1779

Attended: June 1 to August 17, 1779

William Sharpe

Elected: February 4, 1779

Attended: June 1 to September 30, 1779

PENNSYLVANIA

John Armstrong, Sr.

Elected: November 20, 1778

Attended: June 1 to September 30, 1779

Samuel Atlee

Elected: November 20, 1778

Attended: June 1 to July 13? August 5?–30?; September 14?–30, 1779 (on mission with Vermont Committee, ca. June 4 to July 9, 1779)

James McLene

Elected: March 2, 1779

Attended: June 1 to August 7? 1779

Frederick A. Muhlenberg

Elected: March 2, 1779

Attended: June 1 to September 30, 1779

James Searle

Elected: November 20, 1778

Attended: June 1 to July 10?; July 29? to September 27? 1779

William Shippen, Sr.

Elected: November 20, 1778

Attended: June 1 to September 30? 1779

Henry Wynkoop

Elected: March 2, 1779

Attended: June 1 to September 30, 1779

RHODE ISLAND

John Collins

Elected: May 5, 1779

Attended: June 1 to September 30, 1779

William Ellery

Elected: May 5, 1779

Attended: June 1 to July 2, 1779

Stephen Hopkins

Elected: May 5, 1779

Did not attend in 1779

Henry Marchant

Elected: May 5, 1779

Attended: June 14 to September 30, 1779

SOUTH CAROLINA

William Henry Drayton

Elected: February 17, 1779

Attended: June 1 to August 7, 1779 (died September 4, 1779)

Henry Laurens

Elected: February 5, 1779

Attended: June 1 to September 30, 1779

Rawlins Lowndes

Elected: February 17, 1779

Did not attend Congress

John Mathews

Elected: February 5, 1779

Attended: July 27 to September 30, 1779

Arthur Middleton

Elected: February 5, 1779

Did not attend in 1779

VIRGINIA

William Fitzhugh

Elected: June 18, 1779

Attended: September 13–30, 1779

William Fleming

Elected: December 14, 1778

Attended: June 1 to September 28, 1779

Cyrus Griffin

Elected: May 29, 1778; June 18, 1779

Attended: June 1 to September 30, 1779

Patrick Henry

Elected: June 18, 1779

Did not attend in 1779

Gabriel Jones

Elected: June 18, 1779

Did not attend Congress

James Mercer

Elected: June 18, 1779

Attended: September 9–30, 1779

Edmund Randolph

Elected: June 18, 1779

Attended: July 22 to August 17? 1779

Meriwether Smith

Elected: May 29, 1778; June 18, 1779

Attended: June 1 to September 28, 1779

Illustrations

View of Philadelphia

endpapers

"An East Prospect of the City of Philadelphia; taken by George Heap from the Jersey Shore, under the Direction of Nicholas Scull Surveyor General of the Province of Pennsylvania." This detail is from an engraving by Thomas Jefferys based on an etching of the city published in Thomas Jefferys, *A General Topography of North America and the West Indies. Being a Collection of All the Maps, Charts, Plans, and Particular Surveys, That Have Been Published of That Part of the World, Either in Europe or America* (London: R. Sayer, 1768).

Roger Sherman

16

Sherman, a Connecticut Yankee of plain background and little formal education, was nevertheless a man of diverse interests and achievements even before he turned to the study of law in his early thirties. Thereafter he was admitted to the Litchfield County bar and entered public life, which led to his appointment as a justice of the peace, to a seat on the county court, and to several terms in the Connecticut legislature. Restless at age forty, he abandoned his law practice and moved to New Haven to enter the mercantile business, which he pursued in conjunction with public affairs until 1772, after which his time was taken up almost entirely by public duties. Subsequently, he was never far from the center of his state's or his nation's political life. His service in Congress from 1774 to 1781 and in 1784 earned him recognition as one of the stalwarts of Continental policy, and his application to onerous committee duties gained him a breadth of experience probably never exceeded by a member of that body. A man of dour countenance and strict Puritan piety, Sherman was generally a dogged defender of New England interests, and in the case of claims to the New Hampshire Grants he repeatedly used his considerable influence to protect the Vermonters from New York's claims. His conspicuous commitment to public life is also attested by the fact that Sherman was the only man who signed all four of the following landmark documents: the Articles of Association of 1774, the Declaration of Independence, the Articles of Confederation, and the Constitution of 1787. He was also a member of the first federal Congress in 1789 and was elected to the United States Senate in 1791, an office he held at his death in 1793.

Engraving by S. S. Jocelyn from a painting by Earle. Prints and Photographs Division, Library of Congress.

"Leonidas" Proposes a "speech
which *ought* to be spoken to Congress"

140

On July 3, 1779, the entire front page of John Dunlap's *Pennsylvania Packet* was devoted to a vigorous denunciation of congressional fiscal policy by "Leonidas," which immediately prompted Massachusetts delegate Elbridge Gerry to propose arraigning Dunlap before Congress to answer for the insult. Although Gerry's motion was seconded by Henry Laurens, several delegates spoke pointedly against it and the furor soon subsided. Cooler heads obviously prevailed, not only out of concern for liberty of the press but also simply to avoid "lowering and disgracing the dignity of Congress [by taking] any notice of the Printer or Author." Although the delegates remained unequal to controlling runaway inflation and continued to draw the fire of outraged citizens over further emissions of the Continental dollar, they did at least avoid elevating a martyr whose plight might well have accelerated the erosion of public confidence in congressional leadership.

Daniel of St. Thomas Jenifer

146

Jenifer had achieved considerable public influence in Maryland before the onset of the revolution, having served on the provincial court and the Pennsylvania-Maryland boundary commission during the 1760s and having attained a seat on the governor's council in 1773. Despite his conservative instincts, he gradually supported opposition policies leading to independence and was chosen president of both the Maryland Council of Safety in 1775 and the newly created state Senate in 1777. His conservative fiscal views gained him increasing respect as the ravages of inflation spread hardship to ever-increasing numbers, and when Maryland finally decided upon stern measures to restore order to her finances in 1782, Jenifer was appointed intendant of Maryland revenues and financial agent of the state, somewhat in imitation of Congress' appointment of Robert Morris as Superintendent of Finance. Jenifer was elected a delegate to Congress in 1778 and in 1780, but because of his responsibilities at Annapolis his stays at Philadelphia were generally short. In addition to urging fiscal restraint, Jenifer was a staunch supporter of the alliance with France and went to considerable lengths to cultivate the French minister, Conrad Alexandre Gérard, apparently out of a desire to win support for French loans which might rescue the Continental dollar. After the war he was active in the movement to strengthen the national government and represented Maryland in the Federal Convention at Philadelphia in 1787. He never married but enjoyed a reputation for conviviality and entertainment at his large Charles County estate "Stepney," where he died in 1790.

Oil on canvas by John Hesselius (1728–78). National Portrait Gallery, Smithsonian Institution, Washington, D.C.

James Searle

193

Searle, a Philadelphia merchant, became active in the American resistance to British colonial policies after 1765 and became a lieutenant-colonel in the Pennsylvania militia at the outset of the war. He was elected one of the managers of the United States lottery in 1776 and a delegate to Congress in November 1778, after the party supporting the radical constitution of Pennsylvania gained control of the state assembly. Arriving in Congress as the Deane-Lee controversy was gaining in intensity, he became allied with the supporters of Arthur Lee. He was later nominated for the post of secretary to the embassy to Spain but insisted upon withdrawing from consideration. Searle was named to the Marine Committee, undoubtedly out of consideration of his mercantile experience, and was Pennsylvania's representative on the committee appointed to conduct an inquiry into the country's foreign affairs and the conduct of its commissioners abroad. When Pennsylvania decided in July 1780 to send a special envoy abroad to secure foreign loans for the state, Searle was appointed to the post, but after finding that foreign business houses were even less interested in lending money to a state than they were to the Continental Congress, he returned to America empty-handed. While he was abroad, Searle also learned of the death of his wife and, because Searle & Company fortunes likewise suffered badly during the war, the 1780s were generally bitter years for him. He devoted most of his remaining years to attempting to reestablish his business in Philadelphia, dying in 1797.

The Historical Society of Pennsylvania (Society Portrait Collection).

William Lee

241

Lee, a member of the influential Lee family of Westmoreland County, Va.—and brother of Arthur, Francis Lightfoot, and Richard Henry Lee—had gone to London in 1768 to engage in trade and there became immersed in the politics of the city. In 1773 he was elected sheriff of London and in 1775, an alderman of the city (the only American ever so honored), but after the outbreak of the war with the colonies he went to France to work with Thomas Morris as a commercial agent at Nantes for the Continental Congress. When Congress decided to send representatives to other European courts, William Lee was selected to be commissioner to the courts at Berlin and Vienna, but neither was disposed to recognize the United States. Distrust among the American commissioners at Paris, Benjamin Franklin and Silas Deane on the one hand and Arthur Lee on the other, inevitably involved William in the notorious Deane-Lee controversy that came to dominate congressional deliberations in 1778 and 1779. Determined to make wholesale changes in its missions abroad, Congress recalled Lee in June 1779, along with Ralph Izard (commissioner to the court of Tuscany), bringing his public career to

a close. William remained abroad until 1783 when he returned to Virginia, retiring to his "Green Spring" estate until his death in 1795.

Engraving from a miniature. From Edmund Jennings Lee, ed., *Lee of Virginia, 1642-1892* (Philadelphia, 1895).

Ordinance for Establishing a Board of Treasury,
July 30, 1779

311

Congress had long struggled with the deficiencies of treasury administration, in consequence of which an ordinance for the complete reorganization of the Treasury was adopted on July 30, 1779. A new Board of Treasury was thereupon established consisting of two members of Congress and three outside commissioners. To curb the possible growth of power in the board, however, the measure provided that "No member of Congress shall continue to serve as a member of the said Board longer than six months by virtue of one appointment, nor shall there be more than one member of the said Board at any one time belonging to the same State." In addition, the ordinance created an office of Auditor General, a Treasurer, two Chambers of Accounts, and six auditors of the army (annually elected by Congress). Not until November 9, however, were the appointees to these new offices named, and some of the positions continued vacant until the following year.

Continental Congress Broadside, Rare Book and Special Collections Division, Library of Congress.

Jesse Root

399

Root prepared himself for a career in the ministry after graduation from the College of New Jersey in 1756, but following the death of a brother and his father soon after ordination in his native Connecticut, he turned to the study of law and was admitted to the bar in 1763. Opening practice in Hartford, Root became a participant in the movement to defend the colonies against the policies of the North ministry and was elected a member of the Connecticut Council of Safety. In 1776 he was commissioned a captain in a company of Hartford volunteers, rising to the rank of lieutenant colonel and becoming adjutant general before being elected a delegate to Congress in 1778, a position to which he was reappointed six times. Because of his military experience, Root was appointed to the Board of War and was most frequently involved in issues pertaining to the Continental Army. Thus he was elected to a committee created to oversee the commissary and quartermaster departments as well as to another that was directed to confer personally with General Washington in December 1778. After the war, Root was elected to the Connecticut Council, and he served on the state superior court from 1789 to 1807, holding the position of chief justice after 1798.

Although he occasionally held public posts after he stepped down from the court and was a member of the convention that created the Connecticut constitution of 1818, he spent most of his remaining years in retirement. Root died in 1822.

Oil portrait by Joseph Steward. The Connecticut Historical Society, Hartford, Conn.

John Fell

545

Fell began life in New York City, and there pursued a career as a successful merchant during his early adult years. He later bought land in New Jersey and settled near Paramus, Bergen County, where in 1766 he was elected judge of the court of common pleas. Active in the revolutionary movement in New Jersey, Judge Fell was captured at his home by Loyalist raiders in 1777 and suffered several months imprisonment before his parole in January 1778. He was elected a delegate to Congress in November of that same year and attended its proceedings steadily from December 1778 to November 1780. There he remained somewhat in the background, offering few motions and writing few reports, but he worked indefatigably on the Committee of Commerce and Marine Committee and was New Jersey's representative on the foreign affairs inquiry committee appointed in January 1779 during the heat of the Deane-Lee controversy. Although he served in the New Jersey Council in 1782–83, Fell subsequently sold his Bergen County property and moved back to New York City after the war. He died at the estate of his son Peter in Dutchess County, N.Y., in 1789. Fell has been partially rescued from obscurity because he maintained a diary while in Congress, an important document that often contains information found in no other surviving source and provides useful insights into congressional proceedings that were only briefly or cryptically recorded in the journals of Congress.

John Fell Diary, Miscellaneous Manuscripts, Manuscript Division, Library of Congress.



LETTERS OF DELEGATES
13
June 1—
September 30, 1779
TO CONGRESS

John Fell's Diary

[June 1–2, 1779]

Tuesday June 1st. Commercial Committee. Congress. Order of the day to consider the matter relating to New York and Vermont.

Wednesday June 2d. Com Committee. Congress. This day chiefly spent on Finance.

MS (DLC).

John Jay to George Clinton

Sir, Philadelphia 1st June—1779.

Your Favor of the 29th Ultio. arrived this morning while Congress were in a Committee of the whole house considering the several Applications of the State of New York respecting the disturbances on the Ground.¹

It is with great pleasure I obey the unanimous Order of Congress, contained in the enclosed Resolution, for informing You that a more early attention would have been paid to the pressing Applications of your State relating to the disturbances mentioned in your several Letters had they not been prevented by Matters of the greatest Importance, and that Congress will continue to pay equal Attention to the Rights of the State of New York with those of other States in the Union. You will also receive herewith enclosed a Copy of another Act of Congress of this day, on the same Subject from which You will perceive it to be the design of Congress to send a committee to the Inhabitants on the Grants, to enquire into the Reasons why they refuse to continue Citizens of the Respective States which heretofore exercised Jurisdiction over that district and to take every prudent measure to promote an amicable Settlement of all differences, and prevent divisions and Animositities so prejudicial to the United States.²

There is reason to believe that the measures adopted by this Act of Congress will prove salutary, especially as it was passed with uncommon Unanimity. The Committee will be appointed tomorrow.

I have the honor to be, With great Respect & Esteem, Your Excellency's, Most Obedient & Hble Servant.

LB (DNA: PCC, item 14).

¹ Clinton's letter to President Jay of May 29 is in PCC, item 40, 1:191–93; and Clinton, *Papers* (Hastings), 4:858.

² For the Vermont resolves Jay enclosed with this letter, see *JCC*, 14:674–75. For the background of these resolves, which originated in a motion introduced by Gouverneur Morris on May 22 calling for congressional endorsement of a statement condemning the claims of the Vermont separatists, see Jay to Clinton, May 22; and Jay's Notes of Debates, May 29, 1779.

Daniel of St. Thomas Jenifer to Thomas Johnson

Dear Sir,

Phila. June 1st. 1779

The intelligence that Congress has received from Virga. is very imperfect.¹ Governor Henrys Letters are short and convey nothing more than that the Enemy were in Possession of Portsmouth and destroyed our Stores &c. at Suffolk & burnt that place. I suppose his time is much taken up with Militia Officers. I know something of this business, and a sufficient plague they are to any man who has to direct the operations of the body they command, & who may do for the Spur of an occasion, but cannot be kept long together.

I should be made very happy that the flour you mention was taken off for the use it was purchased.

The Gentleman you've named would do exceedingly well for the Purchasing such Articles as you mention for the Army—and ought to be furnished with Money in time; but as plenty as it is abroad, it is scarce enough in the Treasury. Ten Millions of Dollars were lately issued & Ten Millions more must be within a few days. Whilst Congress are disputing upon Modes of Finance our Money is sinking to nothing, tho' I must observe to you, that Gold has fell within a few days from 25 to 18. for one, & other Goods, and Provisions have fallen something. But they will rise again & perhaps be higher than ever, unless some methods are expeditiously adopted that may give our Circulating Medium a better Credit than it is in at present.

The loss of Pondicherry,² & the interruption given to the Trade of France will I fear prevent our procuring a loan from that Quarter for more Money, than will purchase Arms, Amunition & cloathing for our Troops, and Spain in appearance is too slow in her Motions to afford us immediate relief. What will be the contingent issue God only knows? Perhaps the Empero & his Catholic Majesty may mediate a peace, if they do, I wish it may be a good one for America. But what is doing for us in Europe we know not, having had no intelligence from that Quarter for five Months past.

Some method must be taken to satisfy our Army, it is impossible for us to keep it together much longer, unless the Depreciation of the Money is made up to the Officers. Connecticut has promised their Troops that it shall be done, but partial promises hurt the Cause more than they help it.

Both Armies begin to move a little, but I think the Enemy will not quit York Island till their Army is reinforced. And we are not strong enough to attack, nor indeed to do more than to act defencively, & scarcely that, were the Enemy to spread their Troops by detachments to different quarters.

Yesterday a Vessel arrived here from New Providence, she cleared for New York. Baldwin Loaded her with Fruits—the Capt. informs that accounts had reached that place before he left it, that the Enemy

had met with a total defeat near Charles Town, it is barely possible that this News could be true & time for information to have been recd in Providence. We have not recd any intelligence from S. Carolina since the 5th Inst. I feel exceedingly for our distressed brethren in that State. God send them a good deliverance. Present me to Mrs. Johnson & believe me to be unalterably, Your Excellencys affectionate friend & sevt.
Daniel of St Thos Jenifer

[P.S.] Govr. Henry has resigned & Mr Page it is said Elected Govr. Wythe & T. Mason I hear are to be sent from Virga. to Congress—as opposite in genius as two men can be.³

RC (MdAA: Brown Books).

¹ For the May 1779 British incursion into Virginia, see William Fleming to Thomas Jefferson, May 10, 1779, note 3.

² Pondicherry, the French stronghold on the Coromandel Coast of India, had been captured by British forces in October 1778.

³ Thomas Jefferson was elected governor of Virginia on June 1, 1779. The new slate of Virginia delegates to Congress elected on June 18 included neither George Wythe nor Thomson Mason.

James Lovell to Horatio Gates

My dear Sir June 1st [1779]

Doctr. Brown gives me an Opportunity of doing what I found impossible by Mr. Wheelock. I acknowledge with grateful Pleasure your *several* favors of April 26th for each Paper came as a confidential Letter. You was most certainly right as to Haldimand,¹ a Detachment from him was on its Way when you wrote. But I hope *your* Lincoln² has been in such Luck as will more than make up for wrong *Plans* in other Parts or *Blunders* in *Execution* which I am led to expect from the *Bizarrerie* of the Fortune of your Predicessor in Command at Providence Plantations.³

If the Enemy are actually & generally defeated at Carolina, as is highly probable, I think the War will close very fast. Three days will give us a true State of the matter.⁴

I hope we shall be able to tell the Continent we will not strike another Bill after a few Weeks. Monied Men ought to subscribe to lend us on such assurance being given to them. The Quarter Master & Commissary Genl. call upon us so as to make it imprudent to declare we will stop the Press till we have some Prospect of other certain Supply.

The Paper Today murders the Story of Newton Cannon.⁵ He was but 10 day and had the Story by an Augustine, a Georgia & a Carolina Channel. Mumford Brown and Gambier believed it. Doctr. Brown heard me last Evening lay all the Circumstances together. In short, I do credit it. And three days will decide.

I am now out of the Way of my public duty. Vermont is the order of the day in Committee of the whole. The desire of N Yk is that We shld. declare against any *Seperate* State, recommend a Return to Allegiance for the present to N. Hampshire and New York as it was practiced before this Contest with Britain—and promise that we will procure a Redress of Grievances. The first proposal involves a great Question hinted at by Maryland. If the Felicity of the People is the Ground of uniting under Governmen[t], if certain and easy Execution of Law makes part of that Felicity, surely a Proposal to Seperate in extensive Jurisdictions is very natural. Provinces allow it to Towns upon hearing the Parties, Towns to parishes &c &c. Neither the Provinces or Towns becoming Losers but rather Gainers by the Bargain. The *Continent* cannot lose by running lines of Survey between State & State but will certainly gain by all the Comforts and Conveniences will the Parts from Time to Time acquire tending to encourage Population and Culture. Your affectionate humb. Servt.

James Lovell

[P.S.] Please to direct to the Quarters of my Brother in Law Walker.

RC (NH: Gates Papers).

¹ That is, Lt. Gen. Frederick Haldimand, commander of British forces in Canada.

² "Lincoln" was undoubtedly Gen. Benjamin Lincoln, but it is not clear whom Lovell meant by "your Lincoln."

³ That is, Gen. John Sullivan, who had since been appointed commander of the expedition against hostile Indians on the frontiers of Pennsylvania and New York.

⁴ To the Americans' chagrin, this rumor that Gen. Benjamin Lincoln had inflicted a serious defeat on the British in South Carolina proved to be without foundation.

⁵ The *Pennsylvania Packet* reported in its June 1 issue that Capt. Newton Cannon of the schooner *Lady Washington* had arrived in 11 days from Providence and "that he heard there from several British Captains of vessels, of General Lincoln's having routed the British forces in South-Carolina, some-where about Purysburg, and killed and taken 1400 of them."

Maryland Delegates to Thomas Johnson

Sir

Philadelphia June 1st 1779.

We have the Pleasure to acknowledge your Excellency's Favor, by this Post¹—& in Answer have observed that the Reason of the last Recommendation was that Congress had appointed a Committee, in Conjunction with the General, to new model & reduce the Number of regimental commissioned Officers—that Regulation took Place in May 1778—after which the States, it was presumd wou'd resume their Powers conforming to the Regulation adopted in May 1778. A Vessel having a short Passage from Providence brings an Account of the british being defeated near Charles Town, with the Loss of thirteen hundred killed & taken—we sincerely wish it may be true, but at present it wants Confirmation. We have exerted ourselves to get as

many Arms sent to our State as we cou'd, but fear the Number will fall far short of what you may expect or want—tho' we flatter ourselves that you will not be under the disagreeable Necessity of using them. In Compliance with your Request we applied to the General, who has sent down Brigadier Gist to take Command of our Militia, inclosed in his Excellys Letter to us.² We have the Honor to be with the most perfect Respect Yr Excellency's most obt. Servants,

Geo Plater Wm. Carmichael

J. Henry Daniel of St. Thos Jenifer

[P.S.]We have just obtained an Order for 250 Stand Arms in Mr. Wests Hands.

RC (MdAA: Red Books). Written by Plater and signed by Plater, Carmichael, Henry, and Jenifer.

¹ Apparently the Maryland Council's letter of May 26, in which the delegates were asked if Congress expected states to resume making appointments in the Continental Line, since they had been requested in December 1777 to suspend filling vacancies until the work of reorganizing the Continental Army was completed. *Md. Archives*, 21:422. For the May 27, 1778, reorganization of the Continental Army and the development of the Maryland regiments, see Wright, *The Continental Army*, pp. 126-28, 277-80. See also John Jay to William Livingston, June 29, 1779, note 1.

² For Washington's May 25 letter to the Maryland delegates, in which he had responded to Maryland's request for aid against the recent British invasion of the Chesapeake by ordering Gen. Mordecai Gist "to repair to Maryland as soon as he can," see Maryland Delegates to Washington, May 23, 1779, note 2.

New York Delegates to George Clinton

Sir. Philadelphia 1st June 1779.

We were honored with your favor of the 29th ulto. this morning.¹ Congress was then in a Committee of the whole House considering that subject. They came to several Resolutions which were almost unanimously agreed to by the House and of which the President sends you a Copy by the Express who carries this.²

It gives us Pleasure to inform you that our New England Bretheren came very generally into the measure and appear sincerely disposed to terminate those unhappy Disorders. The Moderation observable in those Resolutions we hope will meet with your approbation. The more gentle just & persuasive the Proceedings of Congress in this Business are the more likely they will be to succeed and if treated with neglect by the People of the Grants, the greater Degree of Indignation will such neglect create through all the States. These Resolutions coincide exactly with the Ideas of the Eastern Delegates. The Committee will be chosen to-morrow.³ We shall for many obvious Reasons vote for a majority of eastern men. The Proclamations doing Justice to the Revolters have had a happy effect here. In our opinion

it will be wise to abstain from Hostilities for the present and rather suffer a little than shed blood. If the Members of Congress are really as much in earnest as they appear to be all will be well. We are very much disposed to credit their Declarations on the subject & have ground to hope that this and every other Cause of Jealousy may be done away and Mutual Confidence, Harmony & good Understanding take place between New York & her sister States to the eastward. These are essential to their common Prosperity & must give sincere pleasure to every well wisher of the American Cause. Be assured that our attention to the Rights of our Constituents on the present important occasion shall not cease and that we are with great Respect and Esteem Your Excellency's most obt. Servts.

Wm. Floyd, John Jay,
Gouv'r Morris,⁴ James Duane.

Reprinted from Clinton, *Papers* (Hastings), 5:9–10.

¹ In his May 29 letter to the New York delegates, Governor Clinton had cited new disturbances in Cumberland County as evidence that "the Vermont Business is now arrived at a Crisis" and that Congress must act "without Delay." Clinton, *Papers* (Hastings), 4:859.

² See John Jay to Clinton, this date.

³ See John Jay to Timothy Edwards et al., June 2; and Jay to Clinton, June 3, 1779.

⁴ A few days later Gouverneur Morris wrote a personal letter to Clinton urging moderation in the Vermont controversy even if it was "not agreeable to our Legislature." Only a badly burned fragment of the letter survives. It is preserved under the date June 6, 1779, in the Clinton Papers, N.

Rhode Island Delegates to William Greene

Sir

Philadelphia June 1st. 1779

We received your Excellency's letter of the 13th May yesterday, and in answer to it be pleased to be informed that Mr. Ellery was favoured in February last with two letters One from Col. Greene, the other from Lt Col. Ward, both inclosing similar arrangements of the first battalion of Continental Troops raised by our State. On the 14th of February Mr. Ellery wrote a letter to Genl. Washington to whom was committed the Arrangement of the Army, inclosing Col. Greene's letter and his list of Arrangement for his battalion, in answer to which Genl. Washington writes thus "Head Quarters Middle Brook 22d April 1779. Sir your favour dated 14th February only reached me yesterday. The Arrangement of the two Rhode Island Regiments has been settled, and the Commissions are now in my hands waiting an opportunity for forwarding them."¹

The dates for the commissions in Mr. Ward's list, which is before Us, agrees with the dates in the Resolution of Assembly, and the

names differ only in this respect: The Assembly's list hath not so many names in it as Mr. Ward's, and it contains the name Daniel Dexter which is not in the other.

Genl. Washington hath doubtless sent forward Commissions for all the Officers mentioned in the resolution of Assembly excepting One for Daniel Dexter, and upon Col. Greene's sending to him a copy of the Act of Assembly he will doubtless transmit a commission for Mr Dexter.

Mr. Ward's List

Christopher Greene	Col.		
Saml. Ward	Lt Col.	vacancy	26th May 1778
Ebenezer Flagg	Major	do.	26 do
Elijah Lewis	Capt.		
Thomas Cole	do.		
John S. Dexter	do.		
Thoms. Arnold	do.		
John Holden	do.	do.	10th Oct. 1777
Edwd Slocum	do.	do.	26th May 1778
Jos. Arnold	Capt Lt.		1st June
Daniel Peirce	Lieut.		
Zephanh. Brown	do.		
Robt. Rogers	do.		
David Johnson	do.		
Elias Thompson	do.		
Enoch Stanton	do.		
Charles Peirce	do.	do.	10th Octr. 1777
John Cooke	do.	do.	1st June 1778

It would be exceedingly agreeable to your delegates to be furnished with the Acts of Assembly they have frequently tho' fruitlessly wrote for.

The Letter we last wrote to your excellency and which had not reached you when you wrote last, we hope will give you satisfaction as to the Post's route through our State.² Mr. Hazard, who will be in the eastern States before you will receive this, promised me that he would rectify any error which had taken place through misconstruction or otherwise of his letters, and see that the post should pass backwards and forwards on his old route.

The last accounts from Virginia say that they had collected a considerable body of militia to oppose the enemy, and that they were embarking with great precipitation. The papers contain the last authentic advices from So. Carolina. The Account by way of New-Providence we wish may turn out to be true.

We are sorry to find that any inhabitant of our State should be so foolish and so wicked as to go over to the enemy, and that there should be any among us that are so abandoned as to supply the enemy with provisions, and hope that they will be brought to con-

dign punishment. As, it is impossible to guard the whole extent of our Shores would it not be adviseable to remove the Stock from such parts thereof as we cannot defend? Would it not be adviseable to pass an Act for confiscating the Estates of Tories? Is it not just that traitors to their country should loose their estates? And might not such an Act intimidate persons from furnishing the enemy in future with provisions and intelligence?

We submit these queries to the wisdom of Government, and are with the greatest respect, your Excellency's most obedt. hble Servants,

William Ellery

John Collins

P.S. The resolution of Congress for an additl. tax of forty five millions & the address of Congress will reach you before this.³ In a short time the whole plan of finance will be completed & transmitted.

RC (R—Ar: Letters to Governors). Written by Ellery, and signed by Ellery and Collins.

¹ General Washington's April 22 letter to Ellery is in the Washington Papers, DLC. For further information on the arrangement of the Rhode Island regiments, see Ellery to Washington, February 14, 1779, note.

² See Rhode Island Delegates to William Greene, May 25, 1779.

³ See John Jay to the States, May 22 and 28, 1779.

William Whipple to John Langdon

My Dear Sir,

Philadelphia 1st June 1779

Your favor of the 27th ulto came to hand last evening. The enclosed address will show you part of a plan for putting the paper medium on a better footing.¹ I hope it will have it's desired effect—if the people will do their part I have no doubt the evils, so loudly complained of will be in a great measure speedily remedied.

By the last authentic accounts from South Carolina there was great reason to be apprehensive that Charlestown would soon be in the hands of the enemy. We had last evening a report which gains great credit here, that an action happened on the 15th inst. in which the enemy were entirely routed; this account comes in such a way and related with such circumstances, that I am called an infidel for *only* saying *wish* it true—however I hope I shall be able to give it you per next post in full tale.

The enemy are in motion at New York, but we are not yet able to investigate their designs. It is yet uncertain when I shall set out for home—my anxiety for the determination of some important matters will keep me longer than I should otherwise incline to tarry—however, I shall inform you of my departure from hence some weeks before I take my leave—in the mean time accept my best wishes and believe me to be your very affectionate friend, and humble servant.

Wm Whipple

Tr (DLC: Peter Force Collection).

¹ Whipple undoubtedly enclosed a copy of "An Address to the Inhabitants of the United States of America" that had been adopted by Congress on May 26. See *JCC*, 14:649–57.

Committee for Indian Affairs to the Board of War

Gentlemen

Philad. 2d June 1779

I am directed by the Committee of Congress on Indian Affairs to inform you that we have this Evening finished our Conference with the Deputies from the Delaware Tribe, and dismissed them.¹ You will be pleasd to deliver them the proposal mentiond in the Note sent by Col. Morgan & procede in the most prudent manner for their safe Return;² consulting with Col. Morgan & Col. Gibson. We are sorry to inform you that from various Intelligence we are apprehensive this will be no easy Task: at the same time that any ill Treatment to them woud be a great Reproach to the United States, Under law protected And by the Jurisdiction of whose Agent they have ingresd to this place. We must to enquire whether it may be more Secure for them to Join General Sullivan's Troops or proceed under the present Rout on the Road they Came, & to apprize them of their danger if you think it necessary.³

In behalf of the Committee, I am, Sir, your huml obed Sevt &c.
Jas. Duane Chr of the
Committee on Ind. Affairs

FC (DNA: PCC, item 166). Written by James Duane.

¹ For the recent activities of the Delaware Indian chiefs and the Committee for Indian Affairs, see Committee for Indian Affairs Speech to the Delaware Indians, May 25 and 26; Henry Laurens' Notes on the Conference with the Delaware Indians, May 26; and Duane to Conrad Alexandre Gérard, May 29, 1779.

On June 1 Congress had authorized \$5,333.33 to defray the expenses of the "Indian Chiefs now in town." *JCC*, 14:676. Duane assigned the settlement of the accounts to Col. George Morgan in a brief note of June 3, 1779: "Colo. Morgan is desired to liquidate the expences of the Deputies from the Delaware Tribes, on their Visit to Congress, continuance at Philadelphia, and their return &ca." PCC, item 136, 4:357.

² Col. Daniel Brodhead had warned General Washington in a May 3 letter that "Several parties have been assembled to Murder the Delaware Chiefs now on their way to Philadelphia," and Washington had relayed the warning to George Morgan. Washington, *Writings* (Fitzpatrick), 15:113.

³ The board immediately responded to Duane "that the guard which came from fort pitt are about returning; so that the Indian Chiefs may take advantage of their convoy. If this is not done, the Board have no other means of providing a guard for them." PCC, item 166, fol. 469.

James Duane to George Clinton

Dear Sir,

Philad. 2d June 1779.

Be pleased to accept my Thanks for your Excellency's very friendly and obliging Letter of the 15th ult.¹ Sensible of the Embarrassments of Government under the multitude of Cares which surround you, I can easily conceive of your want of Leisure for friendly correspondence.

Your Excellency is no stranger to the part I have acted for General Schuyler; considering his abilities and high military Rank to be of the most essential Importance to our State; after defeating all the attempts for his destruction, and seeing him honorably acquitted, he has disappointed all my Labours by persevering in, or rather reiterating, his Resignation in Terms the most absolute. It is true he has many Provocations; but by this step he has equally hurt the feelings of his Friends, & gratified his Enemies.

I shall long impatiently to hear how the new Tax of 45 millions is relished in our state. It is a great Effort but nothing less could prevent the total Loss of our publick credit? Does the address tend to produce a Confidence that the money will be ultimately secure? I take that to be the cardinal point.

I thank your Excellency for your particular attention to me, & I hope the same favourable sentiments of my attention to duty will pervade the Legislature. I am confident if application, assiduous application, entitle me to Indulgence it will not be withheld. There are a few things I wish to see accomplished, & then to be permitted to visit my Family & look after the shattered Ruins of my Fortune. The power of fixing the Rotine of the Delegates ought doubtless to be vested in your Excellency. Without this it will never be equal, or indeed tolerable to any Man who is not wholly divested of domestic Feelings. I recollect that for the period of 28 months, I was in the whole only four with my Family. Is not this beyond any Rate of proportion?

Your Excellency will receive the acts of Congress respecting the Revolt from our State by this Conveyance. On this subject I refer you to our publick Letter.² It is my opinion that if the proposed Committee act with propriety, they may influence a great Majority to return to their Duty; But I am equally perswaded that if they please they can fix them forever in their opposition. This is not a desirable Hazard, altho' it is preferable to the Effusion of American Blood. In short, Sir, much depends on the Candour of the New England Delegates, some of whom have fomented this seperation. Now the Property is secure to their Friends, they may be contented. They are loud in their professions, and I am disposed to meet them with some degree of Confidence; Indeed to bury all animosities in everlasting oblivion.

With most respectful Compliments to Mrs. Clinton I have the Honour to be, Sir, with the utmost Regard, Your Excellency's most Obedient humble Servant,

Jas. Duane.

Reprinted from Clinton, *Papers* (Hastings), 5:10–12.

¹ For Governor Clinton's May 15 letter to Duane, see *ibid.*, 4:820–21.

² See New York Delegates to Clinton, June 1, 1779.

John Jay to Timothy Edwards, Oliver Ellsworth, and Jesse Root

Sir, Philadelphia 2nd June—1779.

You will receive herewith enclosed Copies of two Acts of Congress, One of the 1st Inst, providing for the Amicable Settlement of the disturbances on the New Hampshire Grants—The other of this day appointing a Committee, of which You are One, for the purposes mentioned in the first.¹

It is of great Importance that these Resolutions be immediately carried into Effect, and that the contending parties now on the point of hostilities should be restrained from shedding blood—An Object of such Magnitude, & pregnant with extensive & great consequences, will I am persuaded engage your serious attention & enduce You without delay to enter on the Execution of the trust reposed in You.

Congress has advanced to the Committee 6,000 Dollars which will be paid to Doctor Witherspoon & Coll. Atlee, who will set out on Tuesday next & request You will meet them at Albany.

I have the honor to be Sir, Your most Obedient & Humble Servant.

LB (DNA: PCC, item 14). Addressed: "To Timothy Edwards Esquire. The like verbatim to the Honorable Jesse Root, & Oliver Ellsworth Esquires."

¹ For Congress' resolve of June 1 and the appointment of Edwards, Ellsworth, Root, Samuel Atlee, and John Witherspoon to the Vermont committee the following day, see *JCC*, 14:673–76, where Timothy Edwards is misidentified as Pierpont Edwards.

Marine Committee to John Beatty

Sir June 2d. 1779

We have been informed that Captain Gustavus Conyngham late Commander of the Cutter *Revenge* which sailed from this Port now a Prisoner at New York is ill treated under pretence that he had Acted without a Commission when early in the year 1777 he commanded a Small armed Vessel called the *Surprize* and in her captured the *Harwich Packet* in the British Channel.¹

The Enclosed Certificates from Silas Deane Esqr. and two other Gentlemen then in France under whose direction that vessel was fitted out and who are well acquainted with the whole transaction

fully satisfy us that Captain Conyngham did not act without authority but that he was duely commissioned to command that vessel.² Of this you will please to acquaint the British Commissary, and we request you will inform yourself in what manner Captain Conyngham is treated, which if you discover to be rigorously or with undue severity, it is our desire that you inform the Commissary that retaliation will be made unless they change their conduct toward him.

We are Sir,

Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ For information on the imprisonment and controversial treatment of Captain Conyngham, including his "minutes" of his capture and treatment, see Robert W. Neeser, ed., *Letters and Papers Relating to the Cruises of Gustavus Conyngham, a Captain of the Continental Navy, 1777-1779* (New York: Printed for the Naval Historical Society by DeVinn Press, 1915), pp. 160-91.

² The legitimacy of Conyngham's commission for the privateer *Revenge*, which had been issued by the American commissioners in France, was the root of his predicament. Therefore, Congress responded quickly to the reports of the British capture and threatened trial of Conyngham for piracy. When Conyngham's wife petitioned Congress on July 17 for help in preventing the British from sending Conyngham to England for trial, Congress prepared a letter the same day demanding his release and threatening retaliation. After the failure of this action, Congress ordered "close confinement" for a British officer. Conyngham nevertheless was sent to prison in England, but he soon escaped to Holland. See *ibid.*, pp. 176-91; *JCC*, 14:844, 849-50; and Marine Committee to Beatty, July 5 and August 31, 1779. See also Committee for Foreign Affairs to William Bingham, January 29, 1779, note 2.

Marine Committee to Samuel Tucker

Sir

June 2d. 1779

The Ship Boston which you command and the Frigate Confederacy Captain Harding being now ready for Sea, they are directed to Sail in Company with each other on a Cruize upon this Coast from the Latitude of Forty to thirty five degrees and to take, burn, sink or destroy as many of the enemys Ships or Vessels of every kind as may be in their power—the Prizes you will order into the nearest and safest Ports addressed to the Continental Agents in those Ports. And as this Committee have received authentic intelligence that a number of the enemys Privateers are Cruizing near the Latitude of 36, in expectation of falling in with a fleet of Merchant Vessels bound from the West Indies to the Ports of Philada. and Chesapeake Bay, it is their first object to frustrate the designs of the enemy by Capturing or destroying their Vessels and to afford every aid & Assistance in their power to the inward bound Merchantmen, particularly the Brig Baltimore Capt. Read which is ladened with Continental stores & daily expected. They have also received information that the enemy at New York have sent out the Delaware of 24 Guns and the Galathea of 20 Guns to cruize upon this Coast. Your Attention will

therefore be necessarily turned towards these two Ships, and we need not remind you how greatly it would redound to your reputation and the honor of the American flag to Capture or destroy these ships. You are to continue Cruizing for the space of three weeks from your Departure from the Capes of Delaware, after which time you are to return to the Capes and call at Mr. Henry Fisher at Lewis Town near Cape Henlopen with whom will be lodged the further orders of this Committee.

As the Object of this Cruize is to take or destroy the enemys Privateers or small ships of war, and give every aid & assistance to the Merchantmen, the Committee direct you to confine yourself strictly to the Latitudes above mentioned and to such Longitudes as are best calculated to answer that purpose. But if from circumstances it should happen that the Public service necessarily requires you to exceed those Limits then you are at liberty to do it. The Ship General Greene Captain Montgomery belonging to the State of Pennsylvania now in the Bay will have orders from His Excellency President Reed to act in conjunction with you during this Cruize. Captain Harding will be furnished with a Copy of these Instructions and will be directed to obey your Orders as senior Officer.¹ It is expected that before you put to Sea you will fix with him a proper System of Signals for the Ships under your command. The Confidence we repose in your Courage and good Conduct gives us every reason to hope for a successful Cruize—Both the ships of war and Privateers from New York are inferior to the force under your direction which will put in your power to aid the trade of the States and thereby not only render essential service to the Public but add greatly to your Own reputation and the honor of the American flag. We wish you success & are sir,

Your Hble servts.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The Marine Committee wrote the following brief letter to Capt. Seth Harding this day:

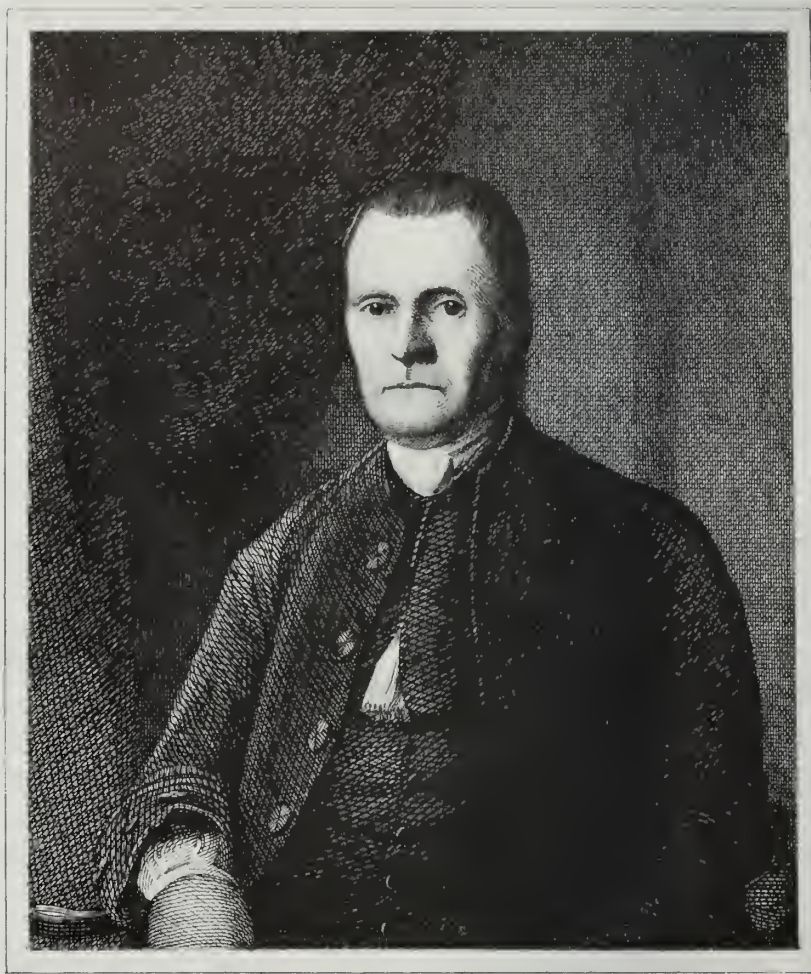
“Annexed is a Copy of our Instructions of this date to Captain Samuel Tucker of the frigate Boston with whom you are directed to sail in Company for the purposes expressed in the said Instructions.

“As you are the junior Officer you are to consider yourself as bound to Obey the Orders of Captain Tucker during this Cruize.” Paullin, *Marine Committee Letters*, 2:83. See also Marine Committee to Samuel Nicholson, June 12, 1779.

Roger Sherman to Thomas Chittenden

Sir,¹ Pha. June 2d. 1779

I have taken the earliest opportunity to transmit to you the enclosed Resolutions of Congress passed with an Intention (if possible) to bring the Controversy which has long subsisted respecting the New Hampshire grants to an amicable Conclusion.² As Congress have



Roger Sherman

not heard the parties they have carefully avoided giving any opinion as to the Merit of any of their Claims. A judicious Committee is appointed to inquire into the Matter and endeavour an accommodation, who will repair to the place as soon as may be. I doubt not but that you will use your Authority and Influence to preserve the public tranquility in the meantime. I am with great Esteem and Regard,
 your humble Servant,
 Roger Sherman

Tr (NNC: Jay Papers). In the hand of John Jay. Enclosed in John Jay to George Clinton, June 3, 1779.

¹ Thomas Chittenden (1730–97), a former Connecticut public official, had moved to the New Hampshire Grants in 1774. He became governor of Vermont in 1778, a position he continued to hold, with the exception of the year 1789–90, until 1797. *DAB*.

² See John Jay to George Clinton, June 1; and Jay to Timothy Edwards et al., June 2, 1779.

John Fell's Diary

Thursday June 3d [1779].

Coml Committee. Congress. After the Letters were Read, The Order of the day relating to the ultimatom on the Fishery.

MS (DLC).

John Jay to George Clinton

Dear Sir

Pha. 3d June 1779

It will doubtless give you Pleasure to hear that the York Delegates voted for each of the Members of the Committee mentioned in the Letter herewith enclosed four of them were unanimously appointed and there were but two Ballots which did not contain the name of Mr. Root. The Unananimity of Congress on this occasion is an agreeable Circumstance. Mr Laurens moved that Vermont shd. be desired to send Deputies to represent their case to Congress, but nobody seconded him. He denies Allens Report, so far as it respects him, to be true. He confesses often to have seen Allen & to have promised that he shd be heard before Congress Did anything in the matter. The few dissenting voices on the Question disliked the moderation of the Resolutions & were for coercive measures in the first Instance. Their future Conduct however (should the Controversy continue) will be influenced greatly by the Report of the Committee who are not ill disposed towards us at present. Care shd be taken that they return with favorable Impressions. I wish General Schuyler would interest himself a little in this Matter—his Address, Acquaint-

ance with Men and Knowledge of this Dispute & of the Characters concerned in it might be useful. I mean that he should attend to & inform, not accompany the Committee. Inclosed is a Letter from Roger Sherman to Chittenden which he shewed me, it informs Chittenden of the Appointment of a *judicious* Committee, and advises him to use his Influence to maintain the public Tranquility &c.¹ A Copy of the Resolutions is enclosed in it. I think it would be proper to forward it speedily. It may prevent outrages for the present.

My best Respects to Mrs. Clinton. I am Dear Sir, your obt Servt.
John Jay

FC (NNC: Jay Papers). In the hand of John Jay. Clinton, *Papers* (Hastings), 5:17–18.

¹ See Roger Sherman to Thomas Chittenden, June 2, 1779.

John Jay to George Clinton

Sir,

Philadelphia 3rd June—1779.

I did myself the honor the day before yesterday to transmit your Excellency a Copy of an Act of Congress of the 1st Inst, directing, among other things, that a Committee be appointed to repair to the Inhabitants on the New-Hampshire Grants for the purposes mentioned in it. The Committee was appointed Yesterday. They are the Honorable Oliver Ellsworth, & Jesse Root of Connecticut, Timothy Edwards of Massachusetts-Bay, Doctor Witherspoon of New-Jersey, and Colonel Atlee of Pennsylvania.

Notice will be immediately sent to each of the Gentlemen of their Appointment, & I shall take the Liberty of pressing them to enter on the business committed to them without delay.¹

I have the honor to be, with great Respect, and Esteem, Your Excellency's, Most Obedient Servant.
J.J.

LB (DNA: PCC, item 14).

¹ See Jay to Timothy Edwards et al., June 2, 1779.

Henry Laurens' Notes of Debates

[June 3? 1779]

When Dr. Morgan's Memorial & the Report were given in at the Table, 13 March 1779 Mr. D¹ pressed for a day for considering it—said, "*perhaps* I may not be here, therefore I wish for a short day"—Postponed.

Three or four days after, Dr. Morgan called on me & pressed my aid to bring on the consideration. I assured him of my good will

towards him (which I did with great sincerity) & added I was sorry he had been so very severe upon particular characters, it did not in the least degree help his cause—that a plain state of what appeared to him to be facts, would have left Congress unbiased judges, whereas such language as he had adopted would at least seem to have been calculated for prejudicing the minds of the Members of Congress.

Dr. Morgan replied he had struck out those parts which he supposed I alluded to—I was amazed but gave no answer.

About two Weeks after I saw Mr. Drayton at the Table in Congress take the Report of the Committee of which Dr. Morgan's memorial is a part, & having a paper in his left hand as a director for his proceeding, obliterate several parts of the Memorial—which I remarked to two Members then in Congress.

The 3d June '79 Mr. Searle moved in very affecting terms for assuming the consideration of the forementioned Report. Mr. Drayton warmly seconded him.²

Mr. Laurens rose and said he knew of no Report respecting Dr. Morgan before the House, that there *had been one*, but, that, *that*, had undergone such alterations & obliterations since it had been delivered to the House, as in his opinion, destroyed its original character "the Report of the Committee." The President expressed surprize & ask'd, "Since it was delivered in, to the House?" Mr. Laurens replied, "Yes Sir, since & some parts long since".

Mr. M. Smith & Mr. Penn said Doctor Morgan with permission of the Committee had struck out some parts of his memorial which had been thought to contain too severe reflections against particular persons.

Mr. Laurens rose and said he knew of no Report respecting Dr. Morgan before the House, that there *had been one*, but that, *that*, had obliterated several parts. Mr. Drayton arose & said he had—"that there were some severe epithets which had been struck out (or expunged) *in order to make it go down the better*".

These were his very (foolish) words. The President said to him—"after the Paper was delivered to the house you had no right to strike out or alter a single Iota. I am clear in this." Mr. Drayton was proceeding to justify his practice or to extenuate the fault, when Mr. Laurens said, *that* (meaning the practice) should be considered at a proper time & he hoped in a proper manner, & called for the Order of the day, Vizt. the Report on Mr. Girard's communication which was accordingly brought forward.

The same Morning Vizt. 3d June—Mr. Drayton came to me in the House & said "Huger & Hutson are come to Town & intend to go to Charles Town in a *day or two* have we any thing to write by them officially?" I answered, "if you recollect any thing, it will be proper, I thought to have transmitted General Washington's orders to General Scott as we had agreed to do in an official Letter but as I found

you had privately taken a Copy of it & as you have said nothing to me since I suppose you have sent that Copy, haven't you?" Mr. Drayton in some confusion said, Yes I have, but they (referring to the Gentlemen above named) won't go in less than a day or two & perhaps in that time we may recollect something. I answered, 'tis very well but I suppose the Gentlemen will have the good manners to let me know of their intention of going.

Mr. Drayton, said no doubt! no doubt! and retired.

N.B. the case of Gen. Washington's Orders to Gen. Scott above referred to is thus.

The 28th May, when those were read in Congress I moved the House that a Copy of them might be delivered by the Secretary to the Delegates of So. Carolina which was immediately granted.³

Mr. Drayton came immediately & asked me for what purpose I had moved for the Copy. I answered for the Delegates, you observed what I said; I think we ought to send a Copy in an Official Letter to the Governor (Meaning Governor Rutledge) it will afford some satisfaction to our State to see the attention which the General has paid to them & it will not be amiss to acquaint them with the particular orders & indeed I think it is proper for us to write a complimentary Letter to General Washington upon the occasion. Mr. Drayton highly approved of both propositions—when Congress was about adjourning between three & four o'clock I applied to the Secretary for the Copy, he told me Mr. Drayton had taken one himself. I desired him nevertheless to furnish me with a Certified Copy according to the Order of the House. On Sunday Morning⁴ Stuart an Express called to inform me he was going to So Carolina, otherwise I should have been ignorant of that opportunity as I had been of many preceeding public conveyances—& as I was morally certain Mr. Drayton knew of it, & as he had not called on or spoke to me concerning the Official Letters which we had agreed to write (& he chooses always to be the writer of our public Letters) I immediately suspected he intended to transmit privately the Copy of the above mentioned Orders, & so it has proved.

His information therefore of Messrs. Huger & Hutson's intention of going to Carolina & application to know if we should write an Official Letter seems to have been calculated for decoying me into an act which should have the appearance of neglect of duty—being rendered unnecessary by his vigilance in the previous private transmission.

The Copy sent to me by the Secretary was not delivered to me till Evening & was not Certified.

MS (ScHi: Laurens Papers, no. 20). In the hand of Henry Laurens.

¹ That is, William Henry Drayton. Dr. John Morgan had presented a memorial to Congress on September 18, 1778, that was referred to a committee chaired by Drayton, which submitted a report on March 13, 1779. See *JCC*, 12:925, 13:313; and Whitfield

J. Bell, Jr., *John Morgan: Continental Doctor* (Philadelphia: University of Pennsylvania Press, 1965), pp. 206–19, where Morgan's efforts to obtain a hearing into the circumstances that led to his dismissal as director general of hospitals in 1777 has been treated at length.

² No mention of this motion is found in Secretary Thomson's journals, although on June 5, in response to a new appeal from Morgan for "an effectual remedy to the Evils I have endured," Congress resolved "That Saturday next be assigned for considering the report of the committee" on his memorial. *JCC*, 14:689.

³ Washington's letter to Congress of May 25 enclosing instructions to Gen. Charles Scott was read in Congress on May 28, but there is no mention of Laurens' motion in the journals. *JCC*, 14:661.

⁴ Laurens interlined at this point "it was late Saturday Night," which was May 29–30.

James Lovell to Horatio Gates

Dear Sir,

June 3d. 1779

Should this be delivered to you by Col. McNutt in Person you will be fully made acquainted with the Wishes & Intentions of the Revolutionists of Nova Scotia.¹ My Heart is much set upon a Revolt of that State, and I wish you to favor the Idea to the utmost of yr. Power whereever you may Command. The People of that Part of the Continent are well prepared in Mind to take advantage of the first Critical Hour: But they are less than for three years back able to equip themselves properly for the desireable Ecclaircissement.

The Carolina Success comes to us by Way of Virginia. But still we have no authentic Proofs.

I had the Pleasure within an Hour of seing yr. Lady who is well. I shall have a Tête a Tête in the Morning with her as Company has hitherto been a Bar to it.

We have appointed a Committee of 5 to go to the Grants to enquire into the Cases of the present Animosities. The Comtee. is to report specially. N. Yk. seems to hope much Good from this Measure. Mr. Elsworth, Mr. Root, Mr. Edwards, Col. Atlee & Dr. Witherspoon.

The Capture of Hamilton of Detroit is credited here.² *We are in a train for an amicable adjustment of certain definitives which have been laboring months back.* This I say in Confidence.

An headache drives me to bed.

Heaven's best Smiles be upon you. Yr. affectte. Friend,

James Lovell

RC (NHi: Gates Papers).

¹ For information on the most recent plan to capture Nova Scotia, see John Fell's Diary, April 7, 1779, note.

² For the capture of Col. Henry Hamilton, British commander at Fort Detroit, see William Fleming to Thomas Jefferson, May 22, 1779, note 4.

John Fell's Diary

[June 4–5, 1779]

Friday June the 4th 1779. Did not goe to Congress this day.

Saturday June 5th. Coml Committee. Congress. A Number of Letters from Genl. Washington advising of the Enemy being in great force gon[e] up the No River, suppos'd to Wt. Point Fort.

MS (DLC).

Samuel Holten's Diary

[June 4–5, 1779]

4. Friday. I met the medical committee.¹ Colo. Pickering spent the eveng with us.²

5. Saturday. By accts. from Genl. Washington the enemy is proceedg. up the north river.

MS (MDaAr).

¹ Among other business this day, the Medical Committee may have considered a memorial from Dr. John Morgan, which is discussed in Henry Laurens' Notes of Debates, June 3, 1779, and a "petition" from Dr. Isaac Foster and other army physicians of the Eastern District, which had been read in Congress on May 28 and referred to the committee. *JCC*, 14:661.

Although this "petition" has not been found, it is clear that Foster was in Philadelphia at this time to defend his conduct as deputy director of hospitals at Danbury, Conn. At the instigation of Connecticut delegate Samuel Huntington, Congress had begun to look into the "Evils & abuses in that department" the previous August, for which see these *Letters*, 10:452n.1. Foster now sought to rebut additional charges made against him by "the select men and others of the town of Danbury" that had been aired in Congress on January 14, 1779. *JCC*, 13:64. In a May 28 letter to the medical committee, now in the Washington Papers, DLC, Foster responded at length to the charges of the Danbury "subscribers" that he had failed, for example, to supply the hospitals with wood, had provided "no check against the most profuse expence of publick Stores," and was guilty of "arbitrary and tyrannical Conduct." He also discussed his mission to Philadelphia in June 5 and 9 letters to his wife, Mary Russell Foster, which are in the *Atlantic Monthly* 3 (May 1859): 557, and the Isaac Foster Family Papers, DLC.

On June 12 Congress approved the issuance of a warrant to Foster "for one hundred and fifty thousand dollars, for the use of his department," thus raising to \$550,000 the total amount of money for which Foster had been made accountable since March 1778. *JCC*, 10:243, 11:580, 775, 12:1170, 13:73, 14:515, 722. This aroused the ire of "Spectator," who denounced Foster's "enormous expenditures of public money" in a letter appearing in the *Pennsylvania Packet* of August 19 and addressed to the congressional committee appointed "to make strict enquiry into the establishments and contingent expences" of the staff departments of the army, for which see John Dickinson's Committee Notes, June 7, 1779, note 1. The essayist also supported the efforts of the Danbury petitioners to have Foster removed from office in the new arrangement of the department. For Foster's defense and "Spectator's" additional charges of "extravagant entertainments" and misuse of supplies by Foster and his staff, see the *Pennsylvania Packet* for September 23 and October 26, 1779. For Congress'

referral of the controversy to the commander in chief, see the Medical Committee to George Washington, November 15, 1779.

² Holten also wrote the following brief note this day to Henry Gardner, Massachusetts' treasurer:

"Please to pay, Mr. John Lowell, three hundred pounds, in part of the warrant, you have in your office, in my favor, and you'll oblige your humble servant." Holten Papers, DLC.

John Jay to George Washington

Sir Philadelphia 4 June 1779

I have the Honor of transmitting herewith enclosed a Copy of an Act of Congress of the 3d Inst. authorizing your Excellency to make such and so many parole Exchanges as you may judge expedient.¹

Various Reports respecting the Enemy's Movements in West Chester County have lately reached us, but we know not what Degree of Credit is due to them.

The Report of a victory near Charlestown still continues and is believed—no direct Intelligence from that Quarter has yet arrived.

Two Dozen printed Copies of the Report of our Commissioners for settling a Cartel are herewith sent.² It is the wish of Congress that they may be conveyed to our Prisoners with the Enemy.

I have the Honor to be with the greatest Respect & Esteem, Your Excellency's most obedt Servant,

John Jay.

RC (DLC: Washington Papers).

¹ For the background of this resolve, see John Fell's Diary, May 21, 1779, note 2.

² Congress had endorsed this report on May 10, for which see Jay's second letter to Washington, May 10, 1779, note 2. For the enclosed copies of the report printed by David C. Claypoole, "Printer to the Honorable the Congress of the United States," see Evans, *Am. Bibliography*, No. 16,631.

Rhode Island Delegates to William Greene

Sir: June 4th, 1779.

The letter to which this may be considered as an addition, was to have been sent by the post, but was too late for that conveyance.¹ Since that time we have had reports several ways, and attended with some circumstances of probability, that Gen. Lincoln had defeated the enemy in South Carolina. We are in anxious hourly expectation to receive some authentic advice from that quarter. Our last advices are as old as the 5th of May, and have been printed. The Assistant Quartermaster General, Mr. Pettit, received a letter this morning from a Deputy Quartermaster General, at the head of Elk river, dated June 3d, informing him that the day before, two of the enemy's ships were seen off Pawtuxet river, sounding the Bay, and that they

were attended with a number of smaller vessels, and that he had removed the principal part of the stores from the head of Elk, &c.

Congress has ordered a loan of twenty millions Continental dollars, but has not yet agreed upon the terms of borrowing.² As it may be very difficult to collect our quota of the Continental tax in season, would it not be advisable to hire a part of it at a moderate interest, to be paid when the tax should be collected. It is thought that those who hold considerable sums, would be willing to lend on this occasion. Every effort will be made by Congress to put our finances on such a footing as to stop any further emission of money; and it is hoped that every friend to his country will lend his aid to give efficiency to this measure.

We are, with the greatest respect for your Excellency, and the warmest wishes for the happiness of the State, which we have the honor to represent,

Your Excellency's most obedient and very humble servants,
William Ellery.

John Collins.

MS not found; reprinted from William R. Staples, *Rhode Island in the Continental Congress, 1765–1790* (Providence: Providence Press Co., 1870), p. 241.

¹ See Rhode Island Delegates to William Greene, June 1, 1779.

² See JCC, 14:672–73. The “terms” were set June 11 and ordered to be published June 29. *Ibid.*, pp. 716–20, 783–85.

William Whipple to Meshech Weare

Sir

Philadelphia 4th June 1779

The frequent applications and great importunity of New-York with Congress to do something respecting the New-Hampshire Grants, has at length produced the Resolutions which I have the Honour of transmitting to you. The Committee will probably be in that Country by the middle of this month or very soon after. I beg leave to suggest the propriety of sending some Person or Persons (who are well acquainted with the New-Hampshire claim to that Country authorised by the State), to confer with the Committee, in my Humble opinion such a conference well conducted may be attended with Happy consequences to New Hampshire.¹ If this measure should be thought expedient, care shod be taken not to drop a hint to the Committee that New-Hampshire will by any means relinquish her Claim. Time will not permit me at present to enlarge on this Subject.

I have the Honour to be with the most Respectful Sentiments Sir,
Your most obt & very Humle sert, Wm. Whipple

¹ New Hampshire did send Ebenezer Thompson to confer with the congressional committee in Vermont, but for the frustrating results see Whipple to Josiah Bartlett, June 20; and Whipple to Ebenezer Thompson, July 19, 1779.

William Whipple to Joseph Whipple

My Dear Bror.

Philadelphia 4th June 1779

Looking over my papers I find four letters from you, viz. 19th March, 5th, 12th & 19th Apl. which I believe I have neglected to answer. This neglect I flatter myself You'll pardon when you consider the very small portion of time I have to devote to the purposes of private Friendship, it was my intention through the whole course of the winter to have been at home by this time but my great anxiety for the determination of some important matters will not yet suffer me to take my leave, how long this cause will remain is impossible for me to say.¹

I have been several weeks in expectation of a Colleague why I am left so long without one, I suppose will some time or other be explained. Three days in the week are appropriated to the important business of Finance, this order will continue till some measures are adopted to put a stop to emissions, untill that is done every other means to reestablish the credit of the money will be ineffectual. The requisition for 45 million is part of the present plan, that with other measures which I hope will speedily be adopted, afford flattering prospects of success in this very difficult business. Forreign affairs is the important object but of this I can say nothing to you at present.

A detachment of the Enemy from N-York have committed considerable ravages on the shores of Cheasepeak Bay and returned to their former station, they are now gone in force up Hudson River where our army is collecting to oppose them the event of this expedition is in the womb of fate. More than a week past we have been amused with very Flattering Reports from the Southward. These reports come different ways and all agree in this, that the British army is totally destroyed, the action was on the 12th of May near Charlestown, we are daily expecting with great anxiety, a particular authentic accot of this glorious event perhaps it may arrive before I close this.²

RC (MH-H: Sturgis Papers).

¹ The "cause" was probably the fisheries issue, which continued to detain Whipple at Philadelphia until September. See also Nathaniel Peabody to Josiah Bartlett, July 3, 1779, note 2.

² For the continuation of this letter, see Whipple to Joseph Whipple, June 8, 1779.

Committee of Congress to Gustavus Risberg

Mr Risberg

Philada. 5 June 1779

You will receive the Flour in the hands of Mr Hollingsworth on Acct. of Mr. Saml. Gilpin a Purchaser under the State of Maryland which the Governor of that State claims as having been the Produce thereof and purchased within it. He will therefore have a right to pass it to the Account of the Continent and of Consequence we must Consider it as publick Property.¹ We are Sir your Humble Svts,

Gouv Morris

By order of the Committee

Tr (PHi: Hollingsworth Papers).

¹ Risberg, deputy commissary general of issues in Philadelphia, had been exciting concern in that food-scarce city because of his transportation of Continental flour outside the state. For the Pennsylvania Council's appointment of a committee to confer with Morris on the subject of the flour held by Levi Hollingsworth, see *Pa. Council Minutes*, 12:16; and *Pa. Archives*, 1st ser. 7:472.

For another matter that had recently been of great concern to Risberg, preventing the resignation of various assistant commissaries because of insufficient compensation, an issue that Congress had addressed in a resolve of May 10, 1779, see *JCC*, 14:571; *PCC*, item 78, 18:219–21; and Jay, *Papers* (Morris), pp. 591–92.

John Jay to George Washington

Sir

Philadelphia 5 June 1779

Your Excellency's favor of the 3d Inst, enclosing three York Papers, was this moment delivered to me.¹ The one written in the morning of that Day is not yet arrived. As it contains Intelligence probably important, I am anxious to receive it.²

I have the Honor to be with the greatest Respect & Esteem, Your Excellency's obedt Servant,

John Jay

RC (DLC: Washington Papers).

¹ In this letter, dated "Morris Town, June 3, 1779, 9 oClock PM," Washington had enclosed newspapers containing intelligence on the return to New York of the British "Troops & fleet lately employed in Chesepeak bay." See *PCC*, item 152, 7:401–2; and Washington, *Writings* (Fitzpatrick), 14:224n.30.

² Actually Washington had written two letters to Jay earlier "that day," for which see Jay to Washington, June 7, 1779.

Henry Laurens to John Laurens

My Dear Son.

Philadelphia 5th June 1779.

I had the honor of writing to you under the 30th Ult. since which we have receiv'd no accounts from Carolina—what! has our State determined not to correspond with Congress? The Lieutt. Governor's

late Letter to the Govr. of Virginia seemed to menace somewhat like it.¹

General McIntosh will tell you more news than I should be able to write in a whole day & you will see the News Papers in the hands of Mr. Gervais—some four or five summer like days have extracted the gouty pains which I had complained of for a fortnight before, but my leg continues in a precarious state.

I pray God to bless & protect you, Henry Laurens

RC (ScHi: Laurens Papers, no. 34).

¹ Lt. Gov. Thomas Bee's May 5, 1779, letter to Patrick Henry had been read in Congress on May 29. *JCC*, 14:664. Convinced that no time was to be lost if South Carolina was to receive effective aid, Bee had appealed directly to Virginia for assistance and requested Henry to so notify Congress. "As I do not send to Congress," Bee explained, "they acknowledging they can do no more for us, I request your Ex[cellency] will forward the purport of this hasty scrawl by the first Conveyance." *PCC*, item 72, fol. 494. For Bee's April 5 appeal for aid, to which Congress had not yet responded, see Committee of Congress to George Washington, April 28, 1779.

James Lovell to Abigail Adams

June 5th. 1779

If at any Time heretofore I have seemed to infringe upon your Prerogatives, I ask your Pardon. It was rash in me to censure you for what *Sovereigns* do in all Parts of the World. Charging me with being a Flatterer you only exercised the Power of misinterpreting some of my most sincere Sentiments: And I, forsooth, ran into the antiquated Notion of a Distinction between Right & Power.

I smile, however, with myself in a Sort of revengeful Humour, while I consider how You also, like some others *born to hold Dominion* have been hurried into an Exertion which only tends to discover the Impotence of Might when operating against Integrity. Have you by the Artillery of Misnomer made me resign my affectionate Regard? Have you even deterred me from using Terms suited to my Opinions? No, for I will this Instant stile you "Very amiable Portia." And having done that Act of Justice to my own Feelings, and furnished You with a Hint for a moralizing Meditation upon the nature of Empire, I proceed to the Business for which I caught up my Pen at first, haunted with the Thought that the booted Bearer would return to me in five Minutes after leaving my Window.

The Box, which Mr. Adams left 20 months ago to the Care of Mr. Sprout's Family, on the Morning of Sepr. 19th., the Era of our Flight to York Town, came Yesterday to my Hand. I found it almost empty, but I imagine just as he parted with it tho contrary to my Expectation. Perhaps he left you with some Memorandum.¹

I had determined to keep the Box here, and send the Things by Parts, at easy Opportunities, even if they had been more in Number.

I have sealed up all the Papers into neat Packets, and forward a Part by the Bearer of this who goes with a Guard. Mr. S. Adams will be on his Way home next Week and a Waggon in Company. You will find the Papers *regularly* put together which for the most part was easy to be performed, as they were, for the most part, endorsed. The others I *so far* looked into as would enable me to finish the Arrangement. I might *innocently* have gone further, with two Packages, I mean those endorsed P.² which accompany my Letter. But it happened that I had no *Curiosity* to satisfy there; and with the others, tho *Curiosity* at times prompted me, I could not without *Guilt* indulge it. Am I right in my Notions of Letter-Peeping? In those Cases where Improprieties of Stile or Sentiment or Secrets intended only for the Eyes of the Correspondent are supposed to be penned, it is *crif[m]nal* to venture. But where there is undoubted Right to expect only the Product of a Pen directed by the Fingers of a *virtuous, elegant, discrete* Writer, I hold it *lawful*, comparatively, to peep; if a man is quite at Leisure, and in danger moreover of running into notorious mischief unless he so employs himself, Curiosity also having at the same Time its stimulating Goads at work upon him.

These six last Lines narrow my System plaguily; I am sure they were not in my Imagination when I was putting together the Letters of Portia, who had more than thrice kindly *shown* me how she could write, and another Friend shows me weekly what a *virtuous Wife* will naturally write to her *absent Husband*. Thus was I without Curiosity in Regard to the two Packages which grounded my Descant upon Letter-Peeping.

If I do not get Opportunity to write somewhat at large to you on the Politics of Europe and the Great House in Chesnut-Street Philadelphia,³ yet you will not have Reason to regret my Occupations; as Mr. S.A. will in a more pleasing Manner communicate to you more than would be proper for the Pen.

I shall convey under Seal and other Security Mr. Adams's Letter Book and Accounts. If he did not settle with the State before he went you had better see how Mr. Dana gave in his Demand, and not descend to Minutenesses such as I remember to have heard my absent Friend say it was unbecoming to be subjected to, and such as you will find by Mr. Avery have not been practiced. Though I am prepared for such a Thing I will not chuse to submit to it.

I will now close my Letter & take a list of the Contents of the Box⁴ tho I will not miss sending the one if the other is not ready before the Gentleman calls on me.

Your affectionate humble Servant,

James Lovell

RC (MHi: Adams Papers). Adams, *Family Correspondence* (Butterfield), 3:197–99.

¹ See Lovell to Abigail Adams, July 9 and November 14, 1778.

² That is, Portia, pseudonym of Abigail.

³ That is, the Pennsylvania State House, where Congress was meeting.

⁴ For the "list of the Contents," see Adams, *Family Correspondence* (Butterfield), 3:426.

James Lovell to Horatio Gates

Dear Sir

June 5th. 1779.

I conversed again with yr. Lady before she sat off yesterday, and found she entertained an Idea that a certain Letter had not reached Congress.

I went to the several Offices and found that Decr. 5th was the one in Question;¹ and that the Board of War had reported on several Parts, but had omitted to say any thing upon the Postscript as they must have given an Opinion, against it having withstood Genl. Green's & Genl. Washingtons Testimonies in Regard to Blodget & other Aids. It is true that several Inadvertencies are on file respecting Brevets, but they only produced strong Resolutions to prevent their being Precedents implicative of disreputation to others who might be refused on after applications. I wish the Correction of a single Slip or two may not induce us to stop in the Work of Reformation so essential on many Points of the Proceedings of Congress. As to personal Slight of you, be assured I hear & see Changes every day in those who have not formerly done Justice to your Character.

You will not indeed find such a complaisant Return to yr. Letters by way of acknowledgement, as heretofore, but your Case is not singular; the Manners of the Man differ. One was flush of Pen & Ink the other quite the Reverse; one was with his Candle burning in the Morning almost thro the year, the other has a lovely Wife to amuse him in these Hours.²

Pray let me have opportunity to inform you on Points wch. are neglected by others, if the Journals do not answer as they come out: I am pushing them so that the Work shall come out weekly:³ and will see that you have then: as I shall also the former Parts when they are finished. 1777 & Feb. & March 79 will in a few Weeks be ready to be forwarded.⁴

Your Friend sincerely, and humb. Servt. James Lovell

RC (NH: Gates Papers).

¹ General Gates' December 5, 1778, letter was read in Congress on January 1, 1779, and referred to the Board of War. *JCC*, 13:10. Gates' letter is not in PCC or the Gates Papers microfilm.

² Lovell was contrasting the work habits of President Jay with those of his predecessor, Henry Laurens.

³ For Congress' March 31 decision to publish the journals weekly, which it was unable to fulfill although the committee appointed to prepare them for publication struggled to do so, see John Fell's Diary, March 31, 1779, note 1. Lovell had been a member of the committee since 1777. *JCC*, 7:101.

⁴ Lovell did, however, enclose with this letter copies of Congress' resolves of June 1

and 2 on the Vermont controversy and the appointment of a committee to visit the strife-torn area.

William Whipple to John Langdon

Dear Sir

Philadelphia 6th June 1779

This will be handed you by Col McNutt of Nova Scotia.¹ This gentleman being very desirous of uniting his country with the Confederacy has formed some plans for that purpose, which he wished to communicate to some persons in New Hampshire who he may consult on the subject, for this purpose I beg leave to recommend him to your notice and confidence.

I am with much respect, your most obt hble servt, Wm Whipple

Tr (DLC: Peter Force Collection).

¹ Col. Alexander McNutt's plans to foment a revolution in Nova Scotia are discussed in John Fell's Diary, April 7, note; and James Lovell to Horatio Gates, April 5 and June 3, 1779.

Committee of Congress to the Continental Boards and Departments

Gentlemen,¹

Philadelphia June [7th]² 1779

The Congress having appointed Us a Committee "to make strict Inquiry into the Establishments and contingent Expences of the respective Boards & Departments, and to consider & report the Retrenchments & Reforms which shall appear to be practicable & expedient, with power to call for Returns from the Offices, & for Information from the Officers of any Department" &c We desire You will please to furnish us with an Account of the Establishment & contingent Expences of your Department, & of all other Departments depending thereon, or by which Returns have been usually made to your Departments, also with such Information as may enable Us most effectually to answer the purposes of our Appointment.

We are with great Regard, Gentlemen, your very hble Servants.³
To *(The Board of Treasury)*

(The Letter to the Board of War, to be the same with the foregoing, with this Addition after the last Word "Appointment"—We further request an Account of the Returns made to your Board of all supplies in the Quarter Master General's & Commissary General's Departments for one Year from the Day of 1778 to this Time,⁴ specifying the sorts, Number or Quantity, and Quality of the Articles supplied.)

FC (PHi: Logan-Dickinson Collection). In the hand of John Dickinson.

¹ For a list of the boards and departments that received this or a similar letter from the committee, see the concluding section of the following entry.

² This date, left blank in Dickinson's draft, has been supplied from the committee's letter to Quartermaster General Nathanael Greene, Greene Papers, DLC.

³ John Dickinson drafted this letter as chairman of a committee appointed on May 28 to investigate the expenses of the various Continental boards and departments and to recommend appropriate "retrenchments and reformations," for which see the following entry, and John Dickinson's Proposed Resolutions, ante July 9, 1779.

⁴ In the committee's letter to Nathanael Greene, these blanks were filled in to read: "the first day of May 1778."

John Dickinson's Committee Notes

[June 7? 1779]¹

Call for Information from Committee for Q.M.G. & C.G. Departments²— & see the Resolution constituting it.

Move for Resolution to promote Enquiry into Condition of Q.M.G. & C. G. in the several States.³

Call on the several Loan Offices throughout the Continent for Accots of all the Certificates issued in the Name of any person holding An Office in the Q.M.G. or C.G. Departments.

Call on B[oard] of War for Accot of all persons holding Offices in Q.M.G. & C.G. Depts. Also Returns of all provisions & supplies in the 2 Depts from May 1778 to May 1779 specifying sort, Quantity or number & Quality.

Magazines where to be form'd—Particulars to form them. Coll. Wadsworth has promised Us a Calculation on this Department. Get a Calculation of same kind in Q.M.G's Department including Forage Masters Dept.

Q[ue]ry]. Where to call for necessary Returns in Q.M.G., C.G., Medical D[epartment], Barrack Master G., Commercial Board—(Marine Committee Under this Head bring in new Establishment & Regulations) B. of War, & Commissary General of Issues—& Commissary General of military Stores.

See in vol. 7. on the 13 March 1778 the new Regulations [...] C.G. Dept.—which afterwards were superseded.

Enquire strictly into Expençe of Expresses.

Call for Result of

Recommendation to every State to inform Congress of all their respective productions that may be required in public Service.

Call for this Resolution.

Call on Treasury, Board of War, Medical Department, Barrack Master General, Marine Committee, Board of Admiralty or Court of Appeals, Commercial Committee, Committee of Foreign Affairs, Commissary General of purchases and of Issues & Commissary General of Military Stores for Accots of their respective Establishments & contingent Expences.⁴ Navy Boards. Secretary of Congress & his

Office. Loan Offices. Commissary of Prisoners. Commissary of Hides. Commissioners of Accots.

Call on Treasury D[epartment] for an Accot. of their own Establishment & contingent Expences & of the Establishments & contingent Expences of all subordinate Depts depending on them, or of which Returns have been made to their Board.

Do of the Board of War & Marine Committee, Postmaster.⁵

Letters dated June 7th 1779 desiring Returns & Information have been address'd to

The Board of Treasury*

The Board of War*

The Quarter M. G.

The Commissary G. of Issues

The Director General*

The Marine Committee*

The Commercial Committee*

The Comm G. of Military Stores

The Post Master General

The Barrack M. General

A Conference has been held with the Commissary G. of purchases

*All these I delivd. Myself—

The others I gave to Mr.

Sherman, who promised to

deliver them as address'd

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson. Because Dickinson's practice of abbreviating is idiosyncratic, preparing a printed text of his notes presents special difficulties. Little attempt, therefore, has been made to indicate expansion of abbreviations in this text, and considerable punctuation has been supplied.

¹ This date has been taken from the date of the circular letters to the various boards and departments that Dickinson listed in the final paragraph of his notes. For these letters, see the preceding entry.

The notes printed in this entry apparently served to guide Dickinson in his work for the committee appointed on May 28, consisting of Dickinson, Nathaniel Scudder, and Roger Sherman, "to make strict enquiry into the establishments and contingent expences of the respective boards and departments, and to consider and report the retrenchments and reformatations which shall appear to be practicable and expedient." Their work dragged on for several weeks and eventually involved them in a number of related issues referred to them by Congress before they completed the report that contained their overall recommendations. They reported a few minor recommendations on July 8, but their general proposals for reform of the various boards and departments were embodied in a lengthy report submitted on July 23 that was not taken up by Congress until October 18. Debated in committee of the whole on successive days at that time, the proposals were eventually referred to a new committee, and Congress again postponed coming to grips with the subject until early 1780. See *JCC*, 14:661–62, 804, 809, 812–15, 872–80, 15:1186–87, 16:75–78; Risch, *Supplying Washington's Army*, pp. 49–53; and Edmund C. Burnett, *The Continental Congress* (New York: Macmillan Co., 1941), pp. 396–400.

² This apparently refers to the committee appointed November 10, 1778, "to superintend" the commissary and quartermaster departments "for the public service." See *JCC*, 12:1114–15; and Committee of Congress to the States, first letter, November 11, 1778, note.

³ For this resolution, which was adopted on July 9, 1779, see *JCC*, 14:812.

⁴ The following six departments were apparently added by Dickinson as a continuation of those named above to be asked for "Accots of their respective Establishments & contingent Expences."

⁵ For the continuing work of this committee, see also Dickinson's Proposed Resolutions, ante July 9; and Dickinson's Notes, ante July 23, 1779.

John Fell's Diary

Monday June 7th [1779].

Commercial Committee. Congress. Sundry Letters, and long debates abt Colo. Wadsworth, Commissary Generals Resigning.¹

MS (DLC).

¹ See John Jay to Jeremiah Wadsworth, June 8, 1779, note 1.

John Jay to George Washington

Sir, Philadelphia 7th. June 1779.

Since my last, I have been honored with two Letters from your Excellency of the third Inst, with the papers they covered.¹

Herewith enclosed are two Acts of Congress of the 5th Inst, One ascertaining the Rank of Coll. DuBois, the other Revoking the Commission of Major Powell [Prowell], & assigning a Rule for settling the rank of the other Officers of the 11th Pennsylvania Regiment.²

The Extract of a Letter, from Major General Gates to your Excellency, is referred to the Treasury, who will take order thereon.

I have the honor to be, with the greatest Respect, Your Excellency's Most Obedt. Servant,

John Jay.

P.S. Enclosed is all the intelligence we have from So. Carolina.³

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ These letters, which were read in Congress on June 5, are in PCC, item 152, 7:385–91; and Washington, *Writings* (Fitzpatrick), 15:221–24. *JCC*, 14:694.

² For the resolves establishing the seniority of Col. Lewis Dubois and demoting Maj. Joseph Prowell, see *JCC*, 14:694; and Washington, *Writings* (Fitzpatrick), 15:162, 184–85, 221–22, 277.

³ Jay's enclosure, in the hand of Henry Brockholst Livingston, is in the Washington Papers, DLC. It contained an erroneous report—from "A Person from N. Carolina in thirteen days"—that following a summons on Charleston to surrender, the British had attacked the city and had been repulsed at the cost of "Between 14 & 1500 of the enemy killed & taken."

This day Jay also wrote the following brief note to his father-in-law, New Jersey governor William Livingston. "On Saturday last I was honored with your Excellency's Favor of the 5th Inst. covering a Letter for General [Philemon] Dickinson, which was sent to him immediately by Express." PCC, item 14, fol. 126.

Marine Committee to the Eastern Navy Board

Gentlemen

June 7th 1779

Our last was of the 25th Ultimo by Captain John Weelock by whom we transmitted you 500,000 Dollars for the use of your department.

We are since favoured with yours of the 18th & 19th of the same month.¹ The Timber provided for the 74 Gun Ship building in your harbour we would have you put in such a State as to prevent it from rotting until a better time presents for pursuing the work. This we think may be done without incurring any great Expence by having it properly piled and covered with Scantling. We observe what you say respecting the Packets lately built and are pleased to find the Mercury so good a sailor, we desire you will hold Two of them in such a State as to be ready to sail in four or five days after the dispatches of Congress may reach your hands at the same time we think it will not be necessary to keep them fully manned. At present we have no idea of building any more vessels shortly, but when in future it shall be determined to build any in your Department we will not be unmindful of your recommendation of Mr Peck.

As it is found that the Brigantine General Gates is so unsuitable a vessel for a Cruizer, we desire you will sell her to the best advantage reserving if you think proper her Guns and such of her materials as will be for the Public benefit. We have already wrote you that Captain Saltonstal should command the Warren in the room of Captain Hopkins, and as this Committee will never countenance any indecency of behaviour in their Officers to their Superiors—if Captain Palms has transgressed in any manner that will subject him to a Court Martial it is our desire that you immediately Order One to be held upon him; and we make no doubt as you have hitherto supported your dignity, so you will always continue to do it. We take it for granted that you will not suffer that lucky vessel the Sloop Providence to remain in Port, and we recommend to you the practice of always sending out the small vessels in company with the large ones. We enclose herein two receipts for four hundred Dollars advanced by our Agent at Baltimore William Smith Esqr. to Captain John Perkins of the Schooner Hazard for Paying Disbursements—that Vessel sailed the 2d. or 3d ultimo from Baltimore with 178 Barrels flour, 6 Tons, 18 Ct, 2 Qr bar Iron on board addressed to Mr John Langdon at Portsmouth for the use of your Department, and from intelligence since received we have reason to think she has been taken, and we find in the New York Paper that the General Arnold which sailed from Senepuxent with flour & Iron has been carried in there.

The Confederacy & Boston have already Sailed to Cruize upon this Coast in quest of those Privateers that have so much infested our

Trade, and we expect in a few days that the Deane will be able to follow them. We desire that you will give directions to the Commanders of the Ships of War in your Department to forbear the firing of their Cannon morning or evening or by way of salute within the Ports or harbours of these United States unless in return of A like compliment from a foreign Vessel or by Special Order of Congress.

We are Gentn, Your hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The Eastern Navy Board's May 18 and 19 letters to the Marine Committee opposing the construction of a 74-gun ship and reporting the replacement of Capt. Richard Palmes by Capt. John Welch as commander of the marines on the *Warren* are in Eastern Navy Board Letterbook, NN.

John Fell's Diary

Tuesday June 8th [1779].

Com. Committee. Congress. Order of the Day of the Report of Recalling Mr Izard. 7 ayes, 4 Naes, 1 divided. Willm Lee 7 do. 4 do. 1 do.¹

MS (DLC).

¹ For further information on the recall of commissioners Ralph Izard and William Lee, see the letters of the Committee for Foreign Affairs to Izard and to Lee, July 17, 1779.

John Jay to Ebenezer Hancock

Sir

Philadelphia 8th June—1779

From the enclosed Copy of an Act of Congress of the 4th Inst, You will perceive that You are to take charge of the military Chest at Providence, & that the Sums requisite for the Service at Boston are to be supplied out of it.¹

I am Sir, Your most Obedient, And Humble Servant.

John Jay. Presidt.²

RC (MH-H: bMS Am 1649.5). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ For this resolve combining the military chests of the Eastern Department maintained at Boston and at Providence, see *JCC*, 14:686.

² Jay also wrote the following letter this day to clothier general James Mease concerning clothing furnished Rhode Island troops in 1777. "You will perceive from the enclosed Copy of an Act of Congress of the 7th Inst. that they have ordered a Sum of Money due to John Donnel for Cloathing to be paid out of the Treasury, & charged to Captains Beall, Dickenson & Avery who received it." See PCC, item 14, fol. 128; and *JCC*, 14:698–99.

John Jay to Jeremiah Wadsworth

Sir,

Philadelphia 8th June, 1779

I have the pleasure of transmitting, herewith enclosed, a Copy of an Act of Congress of the 7th Inst, expressing their Sense of the Officers in your Department, & assigning the Reasons which forbid a compliance with your Request to resign.¹

I have the Honor to be, Sir, Your most Obedient, And Humble Servant.

John Jay. Presidt²

RC (CtHi: Wadsworth Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ The enclosed resolve affirmed Congress' "full confidence in the integrity and abilities of the quarter master general and commissary general," and denied Wadsworth's request to resign, which had been submitted in a letter of June 5 to President Jay. That letter, which was read and debated at length on the seventh, reminded Congress that he had been seeking to resign his position as commissary general since September 1778 and had grown weary of "the unremitted abuse and slander indiscriminately heaped on my Department by every petty scribler in the United States." See PCC, item 78, 24:41–44; *JCC*, 14:695; and John Fell's Diary, June 7, 1779.

² Jay also sent this resolve to Quartermaster General Nathanael Greene this day with the following brief explanation: "Agreeable to your Request Congress have by an Act of the 7th Inst, of which the enclosed is a copy, expressed their Opinion of the Officers in your Department." As Secretary Thomson's journal suggests that the resolve was actually adopted in response to Jeremiah Wadsworth's request to resign, Jay's reference to Greene's "Request" is puzzling. See PCC, item 14, fol. 127; and *JCC*, 14:695.

Daniel of St. Thomas Jenifer to Thomas Johnson

Dear Sir,

Phila. June 8th 1779.

I am obliged by your Excellencys favor of the 4th. The Fleet from Virga. arrived at New York the 29th Ult. and Rivington says with the loss of but one man, & Without disembarking their Men proceeded up North River to join Genl Clinton then in full March for Fort Arnold about 60 miles above Kingsbridge.¹ We have lost a small Fort & 70 Men, and I fear that the other is not impregnable; but our people seem to have great confidence in its holding out, and Baffling all attempts that the Enemy may make, Should we be so unfortunate as to lose this Fortress, the Communication between the Northern & Southern States will in a great measure be cut off. And as we are filling this place with Troops such a disaster would greatly weaken us in the Field, at a time when we have not, either, men to spare, or Ammunition to part with. General Washington is in full March for North river, but I fear the Detachmt. to the Westward under Genl. Sullivan has so much weakened our main Army that we cannot risk a General Engagement, altho the Salvation of the Fort may demand

it. I am glad, & rejoice with my Countrymen, that the immagined Men of War are turned into Merchantmen, And that the Piratical Villains that had taken one of them, met with the Justice due to their Crime.

We have not received any Dispatches, or private intelligence from S. Carolina since the 5th of June² that can be depended upon, the Enemy at that time were 68 Miles from C.Town. I think that some Capital stroke has been struck to our advantage; were it otherwise, we should have heard of it through New York by the Channel of the Tories before this time.

The Virginians and some of the Northern States, (particularly N. York) are inflexible at present as to the Back Lands. The narrow principle of present Emolument supersedes the consideration of future distresses that it may occasion. A little time will convince these men of their error. The Vermont people have erected a Governmt. & chose a Governor, and every other Officer of Government, and are now under the full exercise of it. The State of New York has applied to Congress for Aid. A Committee is appointed to repair to these people, hear what they have to say, & report to Congress. The N.E. States seem to countenance that of Vermont notwithstanding the Claims of Massachusetts & New Hampshire to considerable parts of the Territory on which those people of Vermont are settled. Their Aim no doubt is to gain another Voice in Congress, if they succeed, I suppose another State must be erected out of Virga. as a Counterbalance—what will this tend to prove? Why, what you justly observe, that Congress ought to take upon them this business, & retain in that body the power over the unlimited Countries to the Westward. Whilst we retain our Negative to the present plan of confederation the Door will be open for Justice to be done us, the moment it is turned into an Affirmative, it will not only be shut, but locked against us.³ You have dropt several useful & wise hints, which deserve the most serous consideration, & I hope will influence; I can trully say, that so far as it may be in my power, they shall be extended to take in those objects for which they were designed.

We cannot I think obtain a Sufficient Loan for the carrying on the War till Spain becomes a party in it. Our difficulties no doubt will be great under our present and accumulating load of Debt; but we must struggling [struggle] through them in the best manner we can. We must not appreciate our Money too fast—if we do, those men who have Nobly struggled to Defend their property, must become the Tenants & Vassals of those who have done every thing in their power to ruin the States. Turn your thoughts upon this serious Subject, & commit them to paper by the time the Genl. Assembly meets, when I intend down. You will be pleased to let me know before hand when this will be.

I am Dear Sir, Your Excely. Affectionate friend & Servt,
Daniel of St. Thos. Jenifer

[P.S.] Present my Compliments to the Council.

RC (MdAA: Red Books).

¹ For Sir Henry Clinton's move up the Hudson at the beginning of June, and the American response to the British occupation of strategic positions at Verplanck's and Stony Point, see Freeman, *Washington*, 5:106–21.

² Jenifer doubtless meant May.

³ For Virginia's most recent response to Maryland's refusal to ratify the Articles of Confederation because the Continental government would not be vested with authority over western lands, see the letters of the Virginia Delegates to Patrick Henry of May 17, and to the Virginia House of Delegates of May 22, 1779.

Henry Laurens to Richard Henry Lee

Dear Sir,

Philadelphia, June 8th, 1779.

I had the honour of addressing you under the 1st instant.¹ From that day to our yesterday's adjournment, we have made no progress in the treasury business, nor in our foreign affairs—none at all. This morning is appointed for resuming the latter. Mr. Deane sent a letter yesterday, which he intimates will be his last: he requests an adjustment of his expenses; and, if I remember right, his salary—the letter was committed to the board of treasury. Colonel Wadsworth has laid before Congress an alarming state of his department, and again declares his intention to resign. No less alarming is an explanation from the board of war, respecting essential articles within their sphere. America trusts to . . . and . . . to the chapter of accidents;² that mere accident which lately happened in South Carolina, will prove an excellent interposition in our favour—we shall turn t'other side, and go to sleep again. Enclosed with this you will receive a letter which Mr. Lovell delivered me yesterday; I suppose it came by the post; and also Dunlap's paper of this morning.

I am, with very great esteem and regard, Dear sir, your obedient and humble servant.

Henry Laurens.

MS not found; reprinted from Richard H. Lee, *Memoir of the Life of Richard Henry Lee* . . . , 2 vols. (Philadelphia: H. C. Carey and I. Lea, 1825), 2:233.

¹ Not found.

² Ellipses in tr.

Maryland Delegates to Thomas Johnson

Dear Sir,

Philadela. June the 8th. 1779

Your Letter of the 4th of June we had the Honour of receiving yesterday.¹ We shall prepare by the next post a Summary of the returns of the Army for the inspection of the General Assembly. We have consulted the Board of War upon the latter part of your Letter,

and they join in opinion with us, that Congress will readily allow for the Cloathing furnished the recruiting officers and recruits.

We have no authentic intelligence from Charles Town or the North River.

We are Sir with the highest respect your obdt. Servts,

Geo. Plater J. Henry

Wm. Paca Daniel of St Thos. Jenifer.

Wm. Carmichael.

RC (MdAA: Red Books). Written by Henry, and signed by Henry, Carmichael, Jenifer, Paca, and Plater.

¹ The Maryland Council's June 4 letter to its delegates in Congress is in *Md. Archives*, 21:442.

William Whipple to Joseph Whipple

[June 8, 1779]

I am now at the 8th no authentic accots of the action in south Carolina has yet arrived 'tho reports of our successes are daily coming in from Virginia & North Carolina & are related with such concurrent circumstances as to gain great credit even with those who are not apt to believe reports which are not well founded.

Every thing wears a favorable aspect except our money & I hope that will shortly change its complexion. There never was a prospect of so plentiful a crop of grain in this Country as at present, owing [in] a great measure to a very remarkable interposition of Providence. In the month [of] February the weather was very warm, & the fruits of the Earth uncommonly forward, this was succeeded by a very severe frost which threatened the total destruction of the crop the farmers being greatly alarmed used every exertion to get as much summer grain as possible in the ground; the succeeding season proved very favourable which entirely recovered the Winter crop & brot forward the other in a manner that promises the greatest plenty that ever was known in this Country—I wish Your prospects may be equally favorable; I long to see the day when N. H. may not depend on any other state for Bread. Adieu my Dr Bror and [believe] me to be very affectionately, Your,

WW

RC (MH-H: Sturgis Papers). A continuation of Whipple to Whipple, June 4, 1779.

John Collins' Plan for Commissioners of Marine

[post June 9, 1779]¹

The United States to be divided into two districts

1. Northward & Eastward of New Jersey

2. Southward & Westward of New Jersey in each district, a Board of Commissioners—

Each Board to Consist of three—

Each Board to be allowd. one Clerk & one Superintend. of Stores which they shall appoint and displace at their Pleasure, Commissioner to receive no Salary but 5 per ct on the neet proceeds of the Sales of all Prizes as agents & the 20 per Ct Reserved for the Command [. . .] untill Appont.

Power of the Commrs.

To give orders for the Sailing, Cruizing, destina[tio]n and Conduct of all Ships Within Their District.

To order the fitting, Repairing, Manning and Victualing of all Such Ships.

To Suspend all officers for Breach of orders or male Conduct. order trials, Constitute Court Martial and Confirm Sentence unless in Capital cases.

To frame Rules and Regulations for the Navy from time to time which Shall be transmitted to Congress for their approbation.

Duty of the Commrs.

To make Quarterly Returns to Congress of the Navy, Containing the names of the Ships in Port, their State and Condition, the names of the Ships at Sea, their Destination and the object of their Cruize.

That they Settle their Accounts annually at the farthest and from time to time return Estimates of the arms which may be wanted for the Current Service—that all imbezzlements of publick Stores or publick moneys be Dearth.

Regulations

That no Ship be detained in port by Reason of the holding of any Court Martial nor for any other purpose of that kind.

That all old Accounts be Settled by the Several Navy Boards with the Marine Committee.

That all Ships partly fitted for the Sea be Completely fitted by the said Boards.

That the Said Boards deliver over by Inventory and take Receipts from the Said Commrs. or their Store keepers for all Stores which may be in their Possession.

That the Said Board deliver over to the Said Commrs. all Receipts and Checks by them taken from the officers of the Navy or others for Stores by them formerly Delivered.

That the Commrs. Reside at such place as Congress from time to time Direct.

That all officers be Examined by the Comm befor they Receive a Commission from Congress.

MS (PHi: Logan–Dickinson Collection). In the hand of John Collins, and endorsed by John Dickinson: "Plan for Commissioners of Marine."

¹ On June 9, 1779, Congress adopted John Dickinson's motion "that the management of all business relating to the marine of these United States, be vested in commissioners" and appointed a committee consisting of Dickinson, John Collins, and William Whipple "to prepare a plan for conducting the marine business of the United States and ascertaining the duties and powers of the commissioners." It is unclear whether Congress ever directly considered this "plan," but four months later it adopted a report of the Marine Committee and on October 28, 1779, created a Board of Admiralty consisting of three nondelegate commissioners who were to "superintend the naval and marine affairs of these United States." See *JCC*, 14:708, 15:1216–18; and Jennings B. Sanders, *Evolution of Executive Departments of the Continental Congress, 1774–1789* (Chapel Hill: University of North Carolina Press, 1935), pp. 32–33.

John Fell's Diary

Wednesday June 9th [1779].

Com. Committee. Congress. After reading the Letters, the Order of the Day on Finance, was taken up, and several Proposals Read, all which were agreed to be left to a Committee of 6 to Report on Friday.

MS (DLC).

Samuel Holten's Diary

[June 9–10, 1779]

9. Wednesday. Congress proceed upon Finance—The showers very heavy & the thunder & lighting frequent.

10. Thursday. I dined with Dr. Shippen and spent the eveng. with Genl. Whipple, Dr. Scudder, Mr. Ellery & Mr. Adams.

MS (MDaAr).

John Jay to Benjamin Franklin

Sir,

In Congress Philadelphia, June 9, 1779.

I enclose you an act of Congress of the 8th of this Instant June, directing that Bills should be drawn upon you to the amount of three hundred and sixty thousand Livres Tournois for the purpose

of importing Military Stores.¹ I have accordingly drawn four setts, payable to the Honble. Henry Laurens, Francis Lewis, James Searle, & John Fell the Commercial Committee of Congress or the order of either of them vizt. one sett, for One hundred and fifty thousand, one, for one hundred thousand, one for seventy thousand, and one for forty thousand Livres tournois. Our Disappointment in not receiving the Supplies which we expected from France has render'd this measure indispensably necessary, and we flatter ourselves that you will be able to make such Representations to the Court of France on this subject as to induce them chearfully to put it in your power to honor these drafts.

I have further to add that through the assistance of Monsr. Gerard, the Minister Plenipotentiary of France at this Court, there is some prospect that the Military stores of which we stand in need, may be obtain'd from the Royal Magazines in the French West Indies.² In that case, the Bills will not be presented for payment.

I have the Honor to be with great Respect & Esteem, Sir, Your most obedient Servant.

John Jay President

RC (PPAmP: Franklin Papers). In a clerical hand with complimentary close and signature by Jay.

¹ JCC, 14:707.

² Gérard's cooperation with the Committee of Commerce in an effort to meet the Continental Army's need for powder was discussed in his letters to the comte de Vergennes of June 9 and 12, 1779. In the latter, he particularly noted that he would inquire of the marquis de Bouillé, French governor of the Antilles, whether powder and lead could be spared from the royal arsenals in the West Indies to meet the present American crisis. Meng, *Gérard Despatches*, pp. 713–14, 722–23. For Bouillé's July 11 reply to Gérard explaining his inability to supply the powder requested, which the minister enclosed in a letter to Congress of August 11, see PCC, item 94, fols. 377–83; and Wharton, *Diplomatic Correspondence*, 3:243–44, 292–93.

James Lovell to Horatio Gates

Dear Sir,

June 9th 1779.

Your amiable Lady desired I would inclose a Letter she intended to write in *Philadelphia*. If what I now send is such a Letter I must appear to have been negligent in not forwarding it in my last: But it was only Yesterday delivered to me by Mr. Nourse at 7 oClock P.M., after the Post was gone.

Though several Circumstances confirm our Expectation of Good News from Genl. Lincoln, yet [no] Express has yet reached us.

We are trying to mend the money & to be ready for the imagined Propositions of Peace. We ought only to prepare for a *doubtful* Event of that Kind.

I wish you was Governor of Nova Scotia and I a Farmer there paying Taxes to support yr. Government.

R. H. Lee is gone home resigned. Mr. S. Adams goes on Monday,¹ to resign. But there are yet some hardy Watchmen in this political Camp, besides the veteran Sherman.

Your affectionate humb Servt.

J.L.

RC (NHi: Gates Papers).

¹ See Samuel Adams to Richard Henry Lee, June 13, 1779, note 4.

John Dickinson to Caesar Rodney

Sir,

Philadelphia, June 10th. 1779.

I have the pleasure to inform You, that the News of our Success in South Carolina, is so far confirmed,¹ tho We have not yet received any Express, as to put the Truth of it beyond all Doubt. The Enemy attack'd our Lines at Charlestown, and were bravely repulsed. They attacked a second time, & while the Action was well maintain'd on both sides, a Column of Lincoln's Army appear'd in the Rear of the Enemy, & immediately falling upon them, put them to a total Rout, with a very great loss of kill'd & taken on the spot—and then pursued them as they were scattered in small parties to make their Escape, which perhaps is the Reason, that we have not yet had any Express from him.

It is said, the Enemy's Numbers were 4000 British, & 3000 Tories, the latter of which made little or no Resistance. In short, tho the particulars cannot be authentically ascertained, Congress is convinc'd that the Affair is another Bourgoynade—and every successive Blow of that kind, must be more severely felt than the preceding, because it is striking upon a Place already sore & weakened.

Let Us all at this important Crisis intensely recollect our Duties to Heaven & our Country—cooperate in our several Stations with the Efforts of our gallant Brethren in the field, and after vanquishing Lions in fair fight, not suffer ourselves to be ruined in our internal & domestic Affairs by the most contemptible Vermin that ever crept upon the Earth.

I saw a Letter Yesterday from the Quarter Master General. He mentions the Enemy's having gone up in Force to West point on North River,² an important Post of ours well situated, fortified, and garrisoned. After viewing it some time, part of them return'd down the River, & from Circumstances it is believ'd, an Irruption into New Jersey is intended. My Brother came to town last night, from General Cadwalader's, & tells Me he came up in Consequence of an Express, to collect the Jersey Militia with all possible Expedition. It is supposed, but without any Evidence that can be depended on, that Genl. Clinton may take the Field with 8 or 10000 Men. Such a Force will not be able to accomplish any great Matter.

If We baffle the Attempts of our Invaders this Campaign, & convince them, that our Finances are not in an utterly irrecoverable Disorder, I hope this Year will crown our Labours with peace, Liberty, & Safety.

I am, Sir, your very hble Servt,

John Dickinson

[P. S.] I sent down by Jo, 19 Copies or setts of the Journals & Minutes of Congress for the Council & Assembly, but have never heard, whether they were receiv'd.—I now send down 19 setts more—from the 17th of April to the 22d Inst! Thomas Smith will deliver them.

RC (DeHi: Rodney Papers).

¹ For this premature report, see John Jay to Washington, June 7, 1779, note 3.

² See Daniel of St. Thomas Jenifer to Thomas Johnson, June 8, 1779, note 1.

John Fell's Diary

Thursday June 10 [1779].

C[ommercial] Committee Congress. Order of the Day on the Committee of 13,¹ long debates concerning the detaining S Deane and Recalling Wm. L., Arthur Lee. &c.

MS (DLC).

¹ That is, the Foreign Affairs Inquiry Committee. In the edited journal for this day Worthington C. Ford intruded a series of undated draft motions by John Jay and Richard Henry Lee relating to the committee's report. See *JCC*, 14:715; and *PCC*, item 36, 4:589–91. The first, third, fourth, and sixth paragraphs are in Jay's hand, the second and fifth in Lee's. Ford mistakenly attributed the third and fourth to Lee. These motions were apparently made and defeated on the floor of Congress between March 24, when the committee submitted its report, and May 25, when Lee departed for Virginia. The last motion, which was made by Lee and seconded by John Witherspoon, would have been offered on a day that Witherspoon was in attendance, i. e., March 31 to April 9, April 15 to 19, April 26 to May 9, or May 19 to 21. Although a matter of conjecture, it seems more likely that the successive motions were drafted in early April during the first stages of maneuver over the committee's report. For further information on the "recall debate," see John Fell's Diary, April 6, 1779, note 2. For Lee's resignation and departure from Congress, see Lee to the Virginia House of Delegates, May 4, 1779.

Henry Laurens' Notes of Debates

[June 10–11, 1779]

10th June. A Member of Congress (Mr. Scudder) said in the course of debate, "the question which was formerly lost for recalling Ar. Lee Esquire." The President hastily and in my opinion very rudely replied, "that question was not lost & I will contradict it as often as I hear it said."

“how added he can a question be said to be lost when the House is equally divided?”

☞ the practice of the House has ever been to enter all questions lost which were not carried by a majority—except in the one instance above mentioned.

11th. Reading the Journal of Yesterday two instances occurred of an equal division of States, & the Secretary had made the Entries similar to that in the case of A Lee Esquire. I rose & said, I do not Mr. President like this new fashioned way, it has ever been the practice of this House to enter “& so the question was lost”—because it was not carried & “I move you to Order the Secretary to make the Entries in the Cases before us according to the practice.” This was amply seconded, the president objected & appeared much chagrined. Cases were produced & laid before him which with reluctance he received and with more, suffered them to be read—went a good deal out of a Presidents track to say that the question for A Lee’s recal might be brought on again at any time—which was sun enlightened the World & warmed the Air—more than necessary debate ensued. I said among other things, there ought to be no question upon my motion, it was the Secretary’s duty to observe the practice & I thought the President should see that he did his duty—the President was exceedingly angry & asked if he was our Secretary, that he did not understand it to be his duty to correct the Journals &c.

admit tis not his duty to correct, it certainly is not his duty to encourage and maintain a departure from constant practice*

he would put the question, it was carried without a Nay and the entries accordingly made—now the Instance of A Lee stands single & shews the integrity & impartiality of the two Chairs, &c.

*more especially in a particular Instance in which A Lee was concerned, against whom he had declared he had a personal enmity.¹

MS (ScHi: Laurens Papers, no. 31). In the hand of Henry Laurens and endorsed by him: “Entry on the House being equally divided, A Lee’s case &c.”

¹ See also Laurens’ Notes of Debates, June 11; and Thomas Burke’s Report to the North Carolina Assembly, October 25? 1779, where the “division” on several recall motions is discussed.

John Dickinson’s Notes

June 11th, 1779

On a conversation with Coll. Mitchell,¹ he informs Me, that from some Time in Novr. last to 16 March he paid a sufficien[t] Number for Duty of Vol[untee]r Waggon[s] 40s. per Day for a Waggon, 4 Horses & Driver with Forage provisions, the owners shoeing their own Horses. The owners eng[agin]g as they pleas’d for 1, 2, 3 or

more Months—the pay then allow'd by Law being 55s per Day. That notwithstanding such Barg he raised the prices to the Contractors, as he gave higher prices to others.

That from the 16 March to about 20 April Art[icles] being adv[ance]d in price, he p[ai]d Vol[untee]r Waggon the full price of 55s allow'd by Law.

That about that Time the prices still advancing, & the Law hav[ing] rais'd the pay to £4.10 per Day, he agreed to give £3.10 per Day which contd. to the 1st Day of May. When Art[icles] still cont[inu]ing to advance, he rais'd the pay to the £4.10 per Day—at which it still continuing. He is persuaded that the states exempt[ing] Drivers of Vol[untee]r Waggon from Militia Duty & Fines on that Acco[un]t while in the service would exceedingly promote that service as Men would more readily engage in it & as he thinks at lower prices—& those Men would be of a better kind & more careful—that the Mode of employing Vol[untee]r Waggon greatly preferable to that of pressing, that the add[itiona]l pay of 10s per Day would enable them to shoe their Horses once a month, & he thinks would be sufficien[t] Ind[ucemen]t to draw them out voluntarily, that the Cont[inent]'s shoeing the Horses would be liable to great Frauds & In[jury] to the Continent.

That from Novr there were employ'd in this State from 120 to 150 Waggon—Volunteers & so on till the middle of April when the Demand encreas'd to the Westward of Susquehannah—That about the Middle of May the Col. granted Warrants for 100 Waggon from the Counties of Philadelphia & Chester—of which only 7 are come in. About the same time they granted blank Warrants to General Sullivan for as many as he thought proper to press for pub[lic] Service. Knows not how many were obtaind on these. That about beginning of May Warrants were granted for 40 Waggon beyond his q[uota?] which have been got— knows not whether press'd or Vol[untee]rs but believes the latter.

That there are no imprest or Vol[untee]r Waggon from this State with the Main army—nor have been during the Winter, except such as are before mentioned to have employed voluntarily to carry up supplies & immediately to return again. That the Reason of employing so few Waggon from this State in carrying up supplies even during the Winter, was, that he sent up such Quantity of supplies to Trenton before the navigation was stopt as rendd any greater Land Carriage unnecessary— & after the Winter contd. the Transportation in the usual Channel.

That the Transportation from Trenton during the winter was wholly perform'd by New Jersey & continues to be so now.

That from 4 to 500 Jersey Waggon have been constantly employ'd for these many Months past & will still continue necessary—& probably the number must be increas'd, as the Army has remov'd farther from the Navigation of Delaware.

That greater purchases of Waggon & Horses have been made in Pennsylvania on Contl. Accot. than in any other State & therefore have lessened greatly the Number of Teams in this State.

That the prices of Hire for Teams in this State serve for a Regulation in all the other States.

After taking down in Writing this Information from Coll. Mitchell in his Presence I read it over to him & he says it is exact.

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson.

¹ This conversation with Col. John Mitchell stemmed from a congressional investigation into the conduct of the wagon service, whose deficiencies had been a matter of concern for some time. Wagonmaster general James Thompson had long experienced difficulty in obtaining wagoners, and notwithstanding Congress' removal of restrictions on their wages on April 17 and 23, at quartermaster general Nathanael Greene's request, the Continental Army continued to remain poorly provided with transportation. Subsequently, a committee, consisting of Dickinson, Thomas Burke, and Samuel Huntington, was appointed on May 28 to inquire into "the present enormous expences of the commissary general's, quarter master general's, and medical departments," and it was doubtless in this connection that Dickinson made these notes on a conversation with deputy quartermaster general Mitchell on the costs of wagons, teams, and drivers. The immediate product of the committee's work was a report adopted by Congress on June 14 setting drivers' wages and rations and recommending that the states exempt them from militia duty. See *JCC*, 13:467–68, 14:502–3, 662, 726–27; John Jay to Nathanael Greene, April 18, and to Certain States, June 16, 1779; and Risch, *Supplying Washington's Army*, pp. 76–80. That Dickinson's committee also met with Pennsylvania officials this day, "on the difficulties in procuring Waggon to answer the present demands," is documented in *Pa. Council Minutes*, 12:21–22.

John Fell's Diary

Friday June 11th [1779]

Coml. Committee. Congress. Order of the Day on finance agreed to borrow on Loan 20,000,000 to be Paid in 3 Yea[r]s or when the Money is 1/8 better then at Present.¹

MS (DLC).

¹ For information on Congress' decision to borrow \$20 million on loan office certificates, see *JCC*, 14:672–73, 716–20; Fell's Diary, June 14, note 1; James Lovell to James Warren, June 15; and John Dickinson's Notes, June ? 1779, note 1.

Henry Laurens' Notes

11th June, 1779.

Never was there a more droll scene exhibited in a public assembly than the foregoing.¹

Almost every man who voted for detaining Mr. Deane, did so

from a hope of securing a vote for recalling Mr. Lee. When this should have been effected, Mr. Deane was to have obtained "the special permission of Congress for departing from the United States," or it might be that he would depart without the "special permission," "for who could control him" (said Mr. S. and J. P.).² Such sentiments were expressed by both parties, which warranted this suggestion. To these and similar expressions I replied in Congress: "If Mr. Deane in defiance of the order of Congress shall depart the United States, it will be pleading guilty, and upon Mr. Lee's appearance before Congress and giving evidence against Mr. Deane, judgment will go against him by his default; and I believe neither this nor a future Congress will hazard that public resentment which would follow a permission to Mr. Deane to depart, before the appearance of Mr. Lee, unless from captivity or other extraordinary accident he should be detained an unreasonable length of time." On the other hand, those who could not bear the idea of recalling a faithful servant, and subjecting him to the risk of being captured and carried into England, whose king and ministers of state are exceedingly exasperated against him, and who also suspected the designs of the opposite party, therefore voted against their wishes to detain Mr. Deane, because the recall of Mr. Lee was tacked to that article as an express condition. Thus were votes given by all, three or four excepted, against the principles of the voters.

My sole motive in bringing forward the proposition for detaining Mr. Deane and ordering Mr. Lee to appear and support his charges, was for obtaining justice—

1st. To my much injured Country.

2d. To individuals.

The proposition originally sprung from myself, although Mr. Burke reduced it afterwards to writing, in order, as he said, to try if gentlemen were in earnest. He never found me otherwise.

Before I had voted against the recall of Mr. Lee (on the [8th June, 1779],³ see the journal), I had repeatedly declared in Congress that I would vote for his recall, provided Congress would detain Mr. Deane, and this opinion I have invariably supported in private conversation with Mr. Lee's brother, and other particular friends, in opposition to their sentiments; "*fiat justitia ruat cælum*,"⁴ was my governing principle.

Thank God, I have acted agreeably to the dictates of my conscience, without respect to persons, and I trust my country will not condemn my conduct.

MS not found; reprinted from *Papers in Relation to the Case of Silas Deane*, ed. Edward D. Ingraham (Philadelphia: Printed for the Seventy-six Society, 1855), pp. 98–99. Labeled by the editor: "Note by Mr. Laurens."

¹ For the "foregoing" June 10 debate over Laurens' effort to tie the recall of Arthur Lee to a congressional order requiring Silas Deane to remain in America until Lee could return from France to respond to charges leveled against him, see *JCC*, 14:711–14.

² Meriwether Smith and John Penn.

³ This bracketed date, which may have been inserted editorially by Ingraham, is in error. It should actually read June 10. See *JCC*, 14:711–14.

⁴ A motto often quoted by Laurens in support of his independent stance and which he explained more fully in his letter to Richard Caswell of April 4, 1779.

Committee for Foreign Affairs to William Bingham

Sir

Philada. June 12th 1779

I inclose to yr Care Letters & pamphlets & Gazettes which, I doubt not, you will forward, according to their Superscriptions, with Care & Dispatch. The Opportunity being good to your Island, I have sent Duplicates of some which you will please to send on by a second Chance.

I have not written a Line to you since the 29 & 30th of Janry. except to cover Gazettes Via Boston & Baltimore as a Return to your attentions of that Kind. It is proper therefore that I now inform you of the safe Arrival of yr. various Dispatches Origs. Duplictes. or Triplictes.

Feby. 2, 17, Mar. 27, Apr. 13/20.¹

I hope the commercial Comtee. have not been so silent, as your Business was almost altogether in their Line. They have, I know, been under some Embarrassments as to making Remittances duely, arising partly from an Embargo and partly from other Causes, but I look for a Speedy great Change in our Affairs both as to Money and the Freedom of Navigation.

Rest assured of my Regard for you, and expect to hear shortly from me in a more minute Way respecting your personal Concerns.

I am Sir Your Friend and humb. Servt.

James Lovell

P. S. Please to send my Compliments to Messrs Curson & Gouverneur, with the Pamphletts marked for them. I thought the Vessel was bound to St. Eustatius, when I put up the Papers to their Care, as you will perceive by the Superscriptions. I have recd. their Fav. of Apr. 1st.²

RC (MB: Chamberlain Collection).

¹ Bingham's letters to the committee, dated February 2, 17, March 27, and April 13, with a postscript of April 20, are in PCC, item 90, fols. 33–38, 55–66, 77–86.

² Samuel Curson and Isaac Gouverneur's April 1, 1779, letter to the Committee for Foreign Affairs is in PCC, item 78, 5:341–42. In a personal letter from Secretary Charles Thomson of June 9, Bingham was also sent "a letter and bill" for purchasing some articles from "Messrs Curson & Co" for Thomson's personal use. In addition, Thomson appended the following paragraph to keep Bingham abreast of current intelligence.

"The armies have taken the field, Clinton is directing his force up the north river,

where it is expected he will meet with a warm reception. Our forts in the highlands are in good repair. McDougal is on the east and genl Washington on the west side of Hudsons river to support them. We have had various rumors of a victory gained by our troops in South Carolina, but nothing certain is yet come to Congress." Myers Collection, NN.

James Duane to George Clinton

Dear Sir,

Philad. 12th June, 1779.

Your Excellency has been pleased to desire an unreserved correspondence on measures which may occur to me as advancive of the interest and honor of our State. It is a fruitful theme for speculation, and I shall obey your commands with the utmost pleasure, being fully persuaded that an honorable peace, and a wise internal policy, will render us one of the greatest and the happiest people in the union. The security of our territorial rights, in which we have made great progress, and the speedy cultivation of our rich and fertile frontiers are the principal objects—objects which in my opinion call for the immediate attention of government.

The pressure of heavy taxes on an exhausted and suffering people is the evil most to be dreaded. Our waste lands afford a natural and certain fund for their relief: nor is there any impediment but that the right of soil, in sufficient quantities, remains to be transferred from the native proprietors to the State. This I will always maintain ought to be done, not by fraud or lawless force, but on just and equitable considerations. I consider then that the hostile tribes, who, without the least reason or provocation, and in violation of the ties of treaties, gratitude, and humanity, have destroyed our citizens, plundered our substance, and desolated our country, are bound to make us full and adequate reparation. This they have it in their power to do by an assignment of a territory commensurate to the amount of the damages we have sustained in the loss of lives and property together with an equivalent for all our actual expenses in opposing their ravages, and the consequential injuries to our husbandry, &c. An estimate may readily be formed of these various damages, critical exactness being unnecessary, and a demand made of equivalent territory as a righteous preliminary to peace. At this distance I cannot decide whether it is in our power to fortify and take possession of the country of the Onondaguas in right of conquest: but if practicable it is clearly justifiable in good conscience and by the laws of nations. And Surely, Sir, it is worth a strenuous exertion at the expense of the State, if the Commander-in-chief should not think it such a general concern as to render it a continental charge. I do not mean that any faithful Onondago Should suffer a loss of his right of Soil; it will be easy to discriminate. Violence or injustice will deprive us of national character and the blessing of Heaven!

Sir, in my opinion, the first plan which I have Suggested is recommended equally by sound policy and self-preservation. It is confirmed by the example of our Southern brethren. The Indians are sufficiently Sensible of the value of their lands. No other consideration will keep them within the bounds of humanity or good faith. Let them know that hereafter they shall part with their inheritances for their transgressions; and they will be cautious of unprovoked hostilities. I flatter myself that the venal and disgraceful System hitherto practiced, of courting and bribing them to lay down their arms after the most wanton barbarities will never be revived. Let justice be done to them as reasonable beings; but let them know that they Shall not injure us with impunity. This alone can secure our future tranquillity; especially if Britain should retain Canada on a pacification.

I do not recollect whether I have touched on this Subject hitherto; if I have, your Excellency will pardon my earnestness from its vast importance. While America is in arms is the Season for reducing these savage neighbors to reason and a disposition for lasting peace.¹ The present operations promise more decision in every quarter of the Continent than any ever yet undertaken; and I wish our State may stand ready to avail ourselves of every favorable event.

The accounts from the Southward are highly interesting. Lincoln, it is said, is victorious, and the British detachment completely ruined. From various quarters this great event is rendered probable; but Congress has no despatches hitherto. In our State I hope we are prepared to baffle the designs of our enemies, though I have the most sensible feelings for the distress of individuals. You, Sir, will allow for my anxiety for my family, and enable me to return with honor to my own State as soon as possible. I never yet thought it consistent with my character, and the confidence placed in me, to leave my station without the consent of my constituents. This dutiful respect to government has exposed me to a disproportionate share of exile, and my family and private affairs to great distress and disadvantage. But I comfort myself with the reflection of having done some public good, and studied to do all in my power; and that I have served a people who will honor me with their esteem which is my highest ambition. I have the honor to be—with the utmost respect, Sir, your Excellency's most obedient and very humble servant,

Jas. Duane

P. S. Pennsylvania and Maryland, without waiting for the opinion of Congress, have given their officers half pay for life. Is it impracticable to know the sense of our state on this subject? It is an important one, and will probably be soon debated.² I wish to please our Legislature; but ignorant of their views often hazard more than is prudent by acting from myself.

Tr (MH-H: Sparks Collection).

¹ Duane, a member of the Committee on Indian Affairs, repeatedly stressed the need to punish the Onondagas and other hostile tribes by seizing their lands. See Duane to Philip Schuyler, June 15, and to Clinton, June 20, 1779.

² For the revival of the half-pay debate in Congress, see John Fell's Diary, July 27, 1779.

James Duane to Mary Duane

Philad. 12th June 1779

I have not, my dearest Polly, been blessed with a Line from you some weeks: but from Cousin Robert¹ and the rest of that Family, now in this City, I have the pleasure to hear you were all in health when they left the Manour. You will learn from Brother Robert² more particularly than I have written, the Reasons which obliged me to continue a few weeks longer in a painful Separation from those I so tenderly love: if I know your Heart they will melt with your Approbation, but I should be happy to have it under your Hand. I am obliged to think myself of some Importance in the Councils of my Country, and that the State of our Treasury and other publick Concerns called loudly on me to suspend my Journey. I hope they will soon be in such order as to Justify my Return; which I shall enjoy with more Honour and Satisfaction as I daily expect the Indulgence from our Legislature having the Governour's promise by a late Letter to make Application for me as soon as they shall Assemble.

Altho' the Enemy have again penetrated our State I do not think you have the least Reason to be apprehensive. On the Contrary I have, under God! the highest Confidence that they will repent it, and return to New York with Loss and Disgrace.

In South Carolina we have Reason to believe the British Troops are totally defeated & [skin'd?], & that we shall repossess Georgia in a little Time: While the Savages receive Chastisement in every Quarter and will probably be reduced to beg a Peace and give Satisfaction for the unprovoked Hostilities they have committed; In short our Affairs wear a pleasing Aspect and we may Justly hope that this Campaign will prove the last Struggle for our Liberties and Safety: These Reflections my dearest Polly will, I hope, compensate for all the disappointments we suffer. Let us be comforted with the Expectation that the happy Hour is swiftly approaching when we shall enjoy the Society of each other and of our Friends in peaceful Security and in heartfelt gratitude to the divine Being who has preserved us from so many dangers.

I send a Collection of news papers for your, our honourd Father,³ & Friends' Amusement. To All of them make my affectionate Duty and Compliments Acceptable in their respective Relations—in a particular manner to Brother Robert and his worthy and amiable Lady—

Kiss and bless our dear Children for me. Reconcile your Health and Spirits to meet me soon with Joy & Satisfaction: And believe me to be with all possible Attachment and Affection, My dearest Polly, Your ever faithful Husband,

Jas. Duane

RC (NHi: Duane Papers).

¹ That is, Robert R. Livingston.

² Robert C. Livingston.

³ Robert Livingston, Jr., third lord of Livingston Manor.

John Fell's Diary

[June 12–13, 1779]

Saturday June 12th. Com. Committee. NB. Did not goe to Congress. Dr. Morgan's¹ affair decided. P.M. Commercial Committee.

Sunday June 13th. A.M. Went to Committee, to dispatch The Eagle Packet, Capt Ashmead to Martinique.

MS (DLC).

¹ That is, Dr. John Morgan, former director general of hospitals.

Henry Laurens' Notes of Debates

12th June [1779]

On reading a Report from the Treasury recommending Returns to be made by each State of taxes collected Monthly,¹ I remarked, that however this might be complied with in other States it by no means applied to that, to which I belonged, unless this mode of collecting Taxes had lately been altered.

Delaware (Mr. McKean) said that State had already paid into the Public Treasury her quota of the five Mill[ion an]d fifteen Million Taxes, and had passed a Law for collect[ing her part of the? for]ty-five Million² which would be paid on the 24th.

Mr. Drayton exulted on this information [that?] as our little sister Delaware had so chearfully and punctually paid in her Taxes, there was good ground for hoping that larger states could do the same (this pointed at a declaration which I had just before made, as my opinion, that South Carolina had not and would not have in the State within the 1st January next so many Millions of Dollars, as her Continental taxes amounted to 1,800,000 part of 15 Million
5,500,000 ——— 45 Million

(besides her quota of 6 Million for sinking fund).

I replied my Colleague should consider that Delaware altho' she was a little Girl received five times as much for her Commodities as

South Carolina did for hers, & that the quota of Delaware was in proportion to her size.

Mr. Drayton as if he had totally forgotten my cordial Communication to him the 19th May, or as if such communication had never been made, moved from his Chair, and came next to mine, where he said it would be proper *he thought*, that *I* should state the disproportionate prices of the Commodities of South Carolina and those of the Northern States in order that we might lay them before Congress in order to reason thereon for lowering our *quota* of Taxes. now what can I call this, less than matchless effrontery?

Tr (SchH: Laurens Papers, no. 22). In the hand of James Custer. These notes appear to be a continuation of those of April 29 and May 19 printed in volume 12 of these *Letters*.

¹ This treasury report, which is dated June 11, is in PCC, item 136, 3:377. It was submitted, read, and postponed on June 12. See *JCC*, 14:725.

² Delaware's proportion of the \$45,000,000 Congress resolved to request from the states on May 21 was \$450,000. *JCC*, 14:626.

Marine Committee to Samuel Nicholson

Sir¹

June 12th 1779

The frigate Deane which you command being now ready for Sea, you are hereby directed to proceed with her on a Cruize on this coast from the Latitude of 40 to 35 degrees, and to take, burn, sink or destroy as many of the enemies Ships or vessels of every kind as may be in your power. The Prizes you will order into the nearest Ports addressed to the Continental Agents in those Ports. As we have received intelligence that a number of the enemys Privateers is cruizing to the Southward near the Latitude of 36 in expectation of intercepting the Merchant vessels bound from the West Indies to Chesapeake Bay and this Port, you are to use your endeavours to frustrate the Designs of our enemies, by Capturing or destroying as many of those Privateers as may be in your power and by Affording every aid and assistance to the inward bound vessels particularly the Brigantine Baltimore Captain Read which is loadened with Continental stores and dayly expected. As the Object of this Cruize is to take or destroy the enemies Privateers or small Ships of war and to give every aid and Assistance to the Merchantmen, you are to confine yourself Strictly to the Latitudes above and to such Longitudes as are best calculated to answer that purpose, but if from circumstances it should happen that the public service necessarily requires you to exceed those Limits, then you are at liberty to do it.

We have given Similar Orders to those now given you to the Commanders of the Confederacy and Boston² whom we expect you will fall in with during your Cruize and in that case we Order you to

join them and Cruize in Concert uniting with them your best endeavours to execute these Orders. We deliver you herewith Signals whereby they will be made known to you and which you are to display as occasion requires. You are to return by the first day of July next to the Capes of Delaware where you will find our further orders lodged with Mr. Fisher at Lewes Town and should it so happen that you do not meet the Confederacy and Boston during your Cruize you will in All probabillity find them there as they have been Ordered to return to the Capes at that time. When joined to those Ships you being the Senior Officer will have under your direction three fine frigates which we doubt not will be judiciously managed, and we recommend to you to cultivate strict harmony with the Commanders of those Ships as being essentially necessary for the Public good. We are Sir, Your very hble Serts.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ Samuel Nicholson (1743–1811), Maryland ship captain and brother of senior Continental captain James Nicholson, had been commissioned a Continental captain and appointed to command the *Dolphin* in 1776 by the American commissioners in France. In 1777 he was appointed to command the French-built frigate *Deane* (later renamed the *Hague*), which he captained until 1782. He was recommissioned a naval captain in 1794 and commanded the *Constitution*. *DAB*.

² See Marine Committee to Samuel Tucker, June 2, 1779.

William Whipple to John Langdon

My Dear Sir,

Philadelphia 12th June 1779.

Your favor of the 22d ulto came duly to hand. I wish the schooner you mention may be safe, but as she left Baltimore a little before the British fleet arrived in Chesapeake Bay, I am very apprehensive she fell into their hands. I find by the New York papers that the schooner Arnold has found her way to that place: this vessel was bound for Boston to the Navy Board with flour and iron—several other vessels are gone that way which we have heard nothing of however I hope some of them will arrive.

If those people who have money so plenty as to give 50 dollars for a yard of gauze and who I suppose indulge in every other luxury would place their money in the funds and thereby prevent the necessity of further emissions, the complaints of depreciation would in a short time cease. Congress are doing every thing in their power to remedy the evils—three days in the week are constantly devoted to that business, but their endeavors will be in vain unless they are supported and assisted by their constituents. If there is not virtue enough in the people to support the credit of the money, there can be but little dependence on their virtue to support the army without money. False ambition, and avarice, are the most powerful ene-

mies to public virtue—let those base passions be suppressed and a fair field will be open for the display of Patriotism and every other noble principle on which the happiness of mankind depends.

You say “mankind are in general such infernal ungrateful beings that it seems but right that nine tenths of the world should be kept in order by force.” I have transcribed this short paragraph for your further consideration, on which I mean not to comment—the disposition you have shewn in opposition to tyranny and monarchical govt convinces me of the impossibility that you can really entertain sentiments repugnant to every principle of Republicanism.

You ask what shall be done with the Tories—my answer is short, banish them and by that means put it out of their power to do mischief to this country, and perhaps some of them may possibly be in a small degree useful to some other Community.

15th June. Yesterday arrived here a ship of 24 guns and 80 men formerly belonging to Liverpool—she was sent in by the Boston and Confederacy.

I hope by next post I shall have an opportunity of transmitting you an authentic account of our successes in South Carolina; for the present, you must be contented with reports for which I must refer you to the newspapers.

I am very respectfully, your friend &c, Wm Whipple

Tr (DLC: Peter Force Collection).

Samuel Adams to Richard Henry Lee

My dear Sir

Philadelphia June 13th 1779

I send you the inclosd Extracts from our Friends Letter according to your Request. No Pains are spared to effect the Recall of Mr Arthur Lee.¹ If any are in hopes by this to put an End to the Usefulness of an able, faithful and indefatigably industrious Friend to our Country, I beleive they will be disappointed. I still flatter myself they will never obtain a Majority; but should they succeed thus far, it is my opinion that no Man in America would afford greater Aid in the publick Councils than he. The Day before yesterday another Attempt was made. The Motion which was offerd by Mr B² before you left us, was brot on, that Mr Dean be directed not to depart from these States till further order, and that Mr A Lee repair to America to make good his Charge against him. The Question was divided, and failing by an equal Division of the States in the first part, the other was downd by a very great Majority of Voices on a previous Question. When some one of the States may be *better represented**,³ it may be brot on again and again. Mr Lovel will write to you more largely.

Being in great Haste preparing to set off on my Journey to Boston this day,⁴ I can only add that I am very affectionately, Your Friend,
SA

RC (ViU: Lee Family Papers).

¹ For additional information on the most recent efforts in Congress to recall Arthur Lee as commissioner, see Henry Laurens' Notes of Proceedings, June 10 and 11, 1779.

² That is, Thomas Burke. See *JCC*, 14:711–15.

³ Adams added the notation "Ch. Just. D" to explain this asterisk, meaning William Henry Drayton, chief justice of South Carolina, a well-known supporter of Silas Deane and opponent of Arthur Lee.

⁴ Adams did not leave until June 15. His account of expenses incurred during his attendance at Congress contains the notation "My Service from Apr 28, 1778 to July 1, 1779, 428 days [*which would include travel time*]." Adams Papers, NN.

Committee for Foreign Affairs to Benjamin Franklin

Hond. Sir,

June 13th. 1779 Philada.

By way of Martinique I forward to you Gazettes, Journals, and one or two Pamphlets. The Situation of Things in Congress has been such for some time past that the Committee of foreign Affairs has been drawn on to look dayly for some interesting Decisions to communicate to you, which must account for their Silence many Weeks. I am once again left alone, and therefore in a too delicate Circumstance to pretend to give you any detail of Matters agitated but not concluded respecting your Commission. I inclose one late Resolve to which I beg your Attention;¹ and I intreat that you will believe me, to be with much Respect, Sir, your most obedient Friend,

James Lovell,

RC (PPAmP: Franklin Papers). Written and signed by James Lovell.

¹ Lovell enclosed Congress' June 3 resolve directing the Committee for Foreign Affairs "to write immediately to the Commissioners at the Court of France & desire them to transmit an Account of their Proceedings in Mr. Beaumarchais Accounts pursuant to the order of Congress of the 13th day of April 1778."

John Fell to Robert Morris

Dear Sir,¹

Philadelphia June 13th. 1779.

I have been favoured with yours from Trenton. I should have been very happy to have had you of the Party (as you are Pleased to call it) at Bristol, but the meeting was merely accidental on my Part. I went there in full expectation of meeting Mrs. Fell and my Son there, but was disappointed, as the Enemy Prevented their coming at the time

they intended. As to the People at large complaining of Congress for the depreciation of the Money is a false System, for in my opinion the Real cause is the want of Virtue in the People. We have been long trying to fall on some Plan to Raise this Credit of the Money. (You do not seem to like the Taxes,) we have Resolved to borrow on Loan 20 Million of Dollars, with some advantageous Offers to the lender? I hope you will approve of this Plan. I am truly, and very sincerely sorry, that you have Resigned your Office.² I hope it is not from Peak against any Particulars, however I will not enter in to your motives, till I have the Pleasure of seeing you. Do you not think I had a right to complain of my Colleagues, I think I undoubtedly had. I also complain'd in the same Letter of the Parsimonious behaviour of the Assembly in the shamefull allowance they give their Delegates and gave them time to Provide themselves, as it was not Possible for me to support the expence longer then I had engaged for.

I observe Mr. Houston is appointed, but I suppose he will not come till Dr. Witherspoon returns from his Embassy to the State of Vermont.³ It really gives me great concern to find you so much dissatisfied with the Proceedings of the State.

Sometime since the Honble Speaker of the Assembly⁴ wrote me Coll Freelinghuysen was gon with a Command of the Militia to Bergen County, but I have since found it was a mistake, (how happen'd it), the measure would have given me great satisfaction, as I have a high opinion of his Military Talents. I see General Dickinson,⁵ a few Evenings since at the Coffee house, on his way to Jersey, I hope he will return without being call'd on Duty.

Would not the General have made a good Delegate or would he not accept. Mrs. Fell and Peter have been with me abt 10 Days on a Visit. They Propose setting off to morrow tho I think not without some Risque, as there is no Troops of Ours now, between New York and my House. If our cruell Enemy doe not leave us soon, I shall not be able to live at my own house in Bergen (where shall I go to). I am, With great Respect, Your Sincear friend, and Humble Servt.

John Fell

RC (NJR: Robert Morris Papers).

¹ Robert Morris, the New Jersey jurist, is identified in these *Letters*, 9:424n.1.

² Apparently irked by the interference of the legislature in his duties, Morris had just resigned as chief justice of the New Jersey Supreme Court. *DAB*.

³ William Churchill Houston had been elected a delegate to Congress on May 25 and attended on July 9. *JCC*, 14:811–12.

⁴ Caleb Camp.

⁵ That is, Philemon Dickinson.

James Lovell to John Adams

Dear Sir,

Confidential June 13th. 1779

I shall not look through the Notes in my Almanac to see whether I have written to you 22 or 24 times; I shall go upon the easier Task of acknowledging all those I have had from you vizt. Decr. 6 1778, recd. Feb. 16th 79 answered the 17th—Sepr. 26th. 1778, recd. March 4th 79 answd. Apr 28th.¹

Three months ago Mr G² communicated to us that Spain was mediating,³ and that we ought to take speedy, decisive Measures for Peace. London Gazettes told us the first part; and it appeares strange that neither Doctr. F., Mr. L⁴ nor you have *hinted* this matter to us *lately* if you did not *avow* it authoratatively. We have some wise men here who are sure *they* could fish out all the Court Secrets. In the various Attempts to pull down A L to make way for some one to go from hence “who knows all the present Circumstances of America & therefore could negotiate properly,” your want of Ability to give us Information such as we wish or fancy can be had is said to spring from the Suspicions of the french Court respecting One of you; and Some thing like an Attempt to dictate to us a Choice has been seen here. An Extract of a Letter from the Count d V——s has been quoted, Je crains Mr. A L et ses entourés⁵; and we are tempted to think that therefore the Communication beforementioned came through Mr G——. But this is different from what was once the Conduct; for Mr. Deane tells us that he was *directed* to tell Doctr. F what he did not *chuse* to tell Mr. Lee, or, as he wishes to have it believed, which he was *forbidden* to tell him. I am persuaded Doctr. F would not *readily* disgust the french Court in such a Point. If there is any Seriousness in the Business, I suppose the Court stood upon the punctilio of not having the Compliment of a minister Plenipotentiary returned at that Time.

Mr. Lees Enemies have produced nothing but Innuendoes to procure his Removal, while they dare not deny his Integrity and Abilities in our Service. Mr. Deane says the Lees are not fit for Transactions with a “gallant” Nation. But doubtless those Men who want his place would be very gallant indeed on certain Points in Negotiation: The eastern States are charged with wanting what they have no Right to and what is of “no Interest to the southern States.” Plenty are these local Sentiments lately; and R. H. L. with H L——ns⁶ are squinted at as two monsters on the other *side* of Susquehanna who pursue points in which the southern States have *no* Interest. Would France or England reason thus on the Fishery? I expect however that we shall coalesce in a few days upon what may be ultimata ready for some future day of Pacification, when Britain shall be restored to her Senses. She is quite wild & foolish yet in my Opinion.

You will be scarcely able by our motly Journals to understand

what we are about. Why did I vote for your name to be inserted Apr 20 page 10? A Majority against me had before resolved that the Names should be added—that Doctr. Franklins should be inserted but did not proceed by Yeas & Nays therefore I was entrapped not having my Nay appear on Doctr. F cou'd I say nay to Deane the Causa malorum. and as it was not *mutual* Suspitions &c. I could not exclude you who was suspected & stigmatized in the Report of the Committee, tho' more to the disgrace of Mr. Izard than yourself, if there was any disgrace in the Circumstance of his imagining that your Connection with the Eaters & Distillers of Molasses had warped your Judgement against the Interest of other Parts of the Continent. Mr. Izard has good Testimony to his many estimable Qualities but his best Friends say he is irascible even when he has not a Fit of the Gout as he unfortunately had when he was writing of Doctr. Franklin, and proba[bly] too when he made his Strictures upon your Opinion of the 11th & 12th articles.⁷

Every *Appearance* is that you will not be passed over without honorable Notice when the Report receives its finishing Discussion. My own settled opinion of you leads me the more readily to think there is no Plot concealed under the Professions in yr. Favor which have fallen from Men lately whose general Conduct is of a Kind to make me cry timeo Danaos vel dona ferentes.⁸

Within a few days only have I gained Possession of that Box which you left in charge to Miss Sprout. I took the easiest Method of conveying the few Things which were in it to your Lady.⁹ I sealed all the Papers in neat Packets, and sent them by an Express which was going in an Escort to Boston with Money. The other Articles go in Mr. S. A's Chest Tomorrow. Thus for my Pains I get the Use of yr Box till I go home myself next Winter. The 2 Vols. of Herodotus I sent to the Library.

I firmly believe that yr. Friend Lincoln, has got compleat Success over the southern Enemy. He will receive Permission to return hither just in the hours of Glory so that he may attend to his Wound which was greatly irritated by his Expedition to Carolina. This Night is the 14th since we first had the News of his Victory via New Providence. Confirmation is come from several Quarters, but still we have not an Express.

Tucker has sent in a twenty four gun Ship this Afternoon which did not fire a Shot at him before striking. He is at the Capes with the Confederacy, one of the finest Frigates in any Service as is said by Voyagers.

I wish you every Happiness being, Sir, your affectionate, humb
Servant,

J L

[P.S.] A Letter from Col. Warren recd. this Eveng. left him well 12 days ago.

RC (MHi: Adams Papers).

¹ An incomplete "Copy" of this letter, also in Lovell's hand, is located in the Adams Family Papers, MHi. Because it contains several additions and important variations from the RC printed here, Lovell's copy (except for the opening, nearly identical paragraph) is printed here.

"3 months ago Mr. Gerard communicated to us in a private audience that Spain was mediating and that we ought to take speedy measures for Peace. London Gazettes tell the same. It has seemed astonishing that neither Doctr. Franklin, Mr Lee nor you should *hint* this, if you did not give it authoritatively. And we have some wisemen here who are sure *they* could fish out *all* the Court Secrets. In the various attempts to pull down A Lee, *to make way for some one to go from hence who knows all the present Circumstances of America & therefore could negotiate properly*, your (the Commissrs.) want of Ability to give us Information such as we wish for or fancy can be obtained, is said to spring from the Suspicions of the french Court respecting one of you: and something like an attempt to *dictate* a Choice here has been made. An Extract of a Letter from Count de Vergennes has been quoted 'Je crains Mr. Ar. Lee et ses entours': and it is said that *therefore* the Communication before mentioned came through Mr. Gerard. But this is inconsistent with what is alledged in other Cases. Mr. Deane was *directed* to tell Doctr. Franklin certain things, which he did not chuse to tell Doctr Lee; or, as he wishes to have it believed, which he was *forbidden* to tell him. I am persuaded Doctr. Franklin would not readily blab any matter to Mr. Lee which the Court might confidentially tell *him*. But it may be said the Doctr. was perhaps at that period only on a par with Mr Lee & you so that he could not officially convey the news of a Negociation from France to us without consulting Mr. Lee. It has been attempted to persuade us that Spain is disgusted with Mr. Lee. If more than Innuendoes had been adduced, we should have made a new appointment, perhaps, tho it is a very delicate matter. Mr. Deane says the Lees are unfit to deal with a 'gallant' nation. To tell you the plain Truth of the matter, I believe the men who want to get his place in Negociation would be very gallant on certain Points. The eastern States are charged with wanting what they have no right to, and what is of 'no interest to the southern States.' Plenty are these local Sentiments lately and R. H. Lee & Mr. Laurens are squinted at as two monsters on the other Side of the Susquehanna, who can be found to pursue points in which the Southern States have 'no interest.' I expect, however, that we shall in a few days be able to join in some Ultimata for Peace to be ready at the moment when Britain shall come to her Senses. She is quite wild & foolish yet, in my opinion.

"You will be able by our motley Journals & my Comments from Time to Time to understand what we are about. For instance you will know *when I tell you why* I voted to have yr. name inserted April 20th page 10. A majority against me had resolved 1st that the names should be added 2dly, That Doctr. Franklin's should be inserted but did not proceed by yeas & nays, therefore I was entrapped not having my nay to show to the first I was forced to go through uniformly; it being as true that Suspicions and Animosities had been minuted by the Committee respecting you as respecting the rest; for the Report did not say *mutual* Suspicions &c. It was calculated to open the Door for several new Elections."

² That is, Conrad Alexandre Gérard.

³ For Gérard's memorial on the Spanish mediation offer, see Wharton, *Diplomatic Correspondence*, 3:39–40; and William Henry Drayton's Notes of Proceedings, February 15, 1779, note 2.

⁴ That is, Benjamin Franklin and Arthur Lee.

⁵ The comte de Vergennes had written this phrase in his October 26, 1778, letter to Gérard: "je vous avouërai d'ailleurs que je crains M. Lee et ses entours." Meng, *Gérard Despatches*, p. 358.

⁶ Richard Henry Lee and Henry Laurens.

⁷ For Ralph Izard's comments on his fellow commissioners and the treaty, see Wharton, *Diplomatic Correspondence*, 2:497–501, 710–14.

⁸ That is, "Beware of Greeks bearing gifts."

⁹ See Lovell to Abigail Adams, June 5, 1779.

James Lovell to Arthur Lee

Dear Sir Copy confidential June 13th 1779, Philadelphia

I will not omit this Oppy. of sendg. a few Lines to you, though my first Intents were only to put under Cover the Gazettes, and the Journals of Congress. From Those you will learn how Questions relative to you have been agitated.

May 3 For your Recall 4 to 4 & 4 dividd.¹

June 9² Ordr. of the day called for, vizt Rept. of the Comtee of 13. A motion made by Mr. Burke 2dd by Mr Laurens that the Considn. of the Rept. be postp'd. till order be taken on Mr Deane's Letter of May 22d and a Decission of the Resolution moved thereon by a Member from Nth. Car. 2dd. by a Membr. from Sth Car. Question by Yeas & Nays demandd. by Burke. 5 a[yes], 4 n[ays], 3 divid.

Motion that Silas Deane Esqr. be ordered not to depart the United States *without the special permission of Congress* and that Arthur Lee Esqr be directed to repair *forthwith* to America in order the better to enable Congress to enquire into the Truth of the several Allegations & Suggestions made by the said Ar. Lee in his Correspondence with Congress against the said Silas Deane.

Previous Question called by Gerry 2dd. by S Adams. A Division of the main Question demandd. Previous Question on the 1st Part, Yeas & Nays by Mr. Laurens, 5 a[yes], 5 n[ays], 1 dividd.

Yeas & Nays by Mr. Holton on the 1st Part, 4 a[yes], 4 n[ays], 3 dd. Previous Question on the 2d pt. yeas & nays by Ellery 11 ays.

The Term *recalled* having been used with regard to Wm. Lee & Rph. Izard, with an Idea strenuously supported by some of bringing them to America though others who were affirmative meant only *vacating Commissions*, a 2d Resolve passed That it is the Sense of Congress that Mr. Wm. Lee & Mr R Izard *need not repair to America*.³ I give them no official Notice now,⁴ nor shall I without the special order of Congress, because, I am again left alone of the Comtee. of for. Affrs. Yr. Brother R H having resigned as I hear, and gone home; and further because something definite ought to be decided in regard to Compensation for Services of the Commissioners. An Attempt has several Times been made lately to *chuse a new Comtee* instead of *filling up the old one*. This you will perceive to be singularly decent towards the one who has steadily attended. Nay it is said that such a Comtee. is useless. I am sure I find an immense Deal that *ought* to be done and a great Burthen in what has been done by a Member of Congress without Secretary or Clerk, little as you & the other Gentlemen abroad may have been benefitted by my Labors.⁵ Quires of my Writing have been sunk in the sea, most of it near these Capes.

I expect further Attempts to get rid of you. It was a Fear of that and a Strong Desire to scrutinize Mr. D⁶ that made Mr. Laurens I

imagine give into the late Motion.⁷ But I think you will rise above the Malice of the Faction which you have long known, or, if you find yr. *Usefulness destroyed* by their accts you will readily tell us so, and desire to make way for some other Person. I have by me large Packets left by your Brother with Copies of Proceedings affecting you, but I will not venture them round about, as a Frigate must soon go directly from hence, or at least a Pacquet boat. I tell Mr. J Adams more on that Head. I suspect much Roguery in the Stoppage of yr. Letters; how else is it that we have not a line from any of you?

Mr. S Adams goes home Tomorrow for good and all, as he says.⁸ This is intended Via Cadiz, a Copy Via Martinique. Your Friend & humble servant,
J L

Vid Journals: Apr. 6, 15, 20, 21, 26, 28, 30, May 3, 22, 25, 27, June 9.⁹

RC (MH-H: Lee Family Papers). Endorsed by Arthur Lee: "Receivd thus from Mr Adams the 11th Feby. 1780, i.e. with the wax fingerd not open'd. Mr. Adams had it from Dr. Franklin."

¹ *JCC*, 14:542–43. See also William Carmichael's Statement, May 3, 1779.

² The action Lovell described here actually occurred in Congress on June 10. See *JCC*, 14:711–14; and Henry Laurens' Notes of Proceedings, June 11, 1779.

³ The votes to recall Ralph Izard and William Lee were taken on June 8. *JCC*, 14:700–705.

⁴ For the official notices, see Committee for Foreign Affairs to Ralph Izard and to William Lee, July 17, 1779.

⁵ Two members were finally added to the Committee for Foreign Affairs on November 24, 1779, when William C. Houston and Robert R. Livingston were appointed. *JCC*, 15:1302. See also Lovell to Arthur Lee, July 17 and August 6, 1779.

⁶ That is, Silas Deane.

⁷ Henry Laurens had voted for Arthur Lee's recall on condition that Silas Deane remain in America. See Laurens' Notes of Debates, May 24 and June 11, 1779.

⁸ See Samuel Adams to Richard Henry Lee, this date, note 4.

⁹ When Lovell extracted this letter in his July 17, 1779, letter to Arthur Lee, he added the date May 24 and changed June 9 to June 8 and 10, days on which Congress debated the future of Silas Deane and the recall of the American commissioners abroad.

James Duane to George Clinton

Dear Sir,

Philad. 14th June 1779.

Your Excellency's Letter to Congress respecting the Revolt has made a serious Impression.¹ I applaud the wisdom & Spirit which it manifests. Congress seem to have relied rather too far on the Moderation and Passivity of our State: and yet there are Circumstances which Justify their proceeding with Caution. It is generally supposed and believed, that if active measures are passed by our State, the Friends and Relations of the Revolters in the Eastern States, even in defiance of their own Government, will Support them by

arms: At the same time an opinion prevails that, by the mediation of the Committee, they may be prevailed upon to return to their Duty; at least that the attempt is necessary previous to acts of Violence. The Eastern Delegates seemd Confident of its Success and were explicit in avowing their wishes that it might produce Submission & Tranquillity.

Your Excellency's Letter is committed to a special Committee, & I presume they will report that the Prisoners be set at Liberty & Col. Allen's Conduct as an officer of the United States be submitted to a Court Martial.² At the same time Congress are so strongly perswaded of the policy & propriety of sending their Committee, that they will persevere in the Measure, & I wish our State could be so far reconciled to it as to give it no Obstruction. If the Committee are disregarded it will become the Cause of the United States: & we shall have a Right to call on Congress for Assistance to support their own authority. I suggest these hints for your Excellency's Consideration, and remain with the utmost Regard, Dear Sir, Your Excellency's most obedient & very humble Servant, Jas. Duane.

[P. S.] No Express from the Southward! The great Events there still depend on uncertain Rumour.

Reprinted from Clinton, *Papers* (Hastings), 5:84–85.

¹ *JCC*, 14:721. Governor Clinton's June 7 letter to John Jay, which described relations between New York and Vermont as on the threshold of war, is in *PCC*, item 67, 2:190–96; and Clinton, *Papers* (Hastings), 5:54–57. His letter of the same date to the New York delegates is in *ibid.*, pp. 58–59.

² When the committee to whom Clinton's letter was referred submitted a report on June 16, Congress resolved that the New York officers seized by the Vermont settlers "be immediately liberated," but did not order a court-martial of Ethan Allen. See *JCC*, 14:741–42; and John Jay to the Committee on Vermont, June 16, 1779.

John Fell's Diary

Monday June 14th. 1779.

Com. Committee. Congres. After the dispatches were read the order of the Day on Finance, long debated for increasing the Interest.¹

MS (DLC).

¹ Fell also entered calculations relating to the loan in the left-hand margin of this entry. Although they are apparently based on a projected one-eighth appreciation, which he mentioned in his diary entry of June 11, their exact meaning is unclear.

1/8.	26000 0	100000
	3250 0	50000
	<u>22750/0</u>	25000
	£11375	<u>12500</u>
		£4375
	4375	
	<u>15750</u>	

See also John Dickinson's Notes, June ? 1779; and James Lovell to James Warren, June 15, 1779.

Daniel of St. Thomas Jenifer to Thomas Johnson

Dear Sir

Philadelphia June 14th 1779

There have been so many accounts by different ways of the defeat of the Enemy at Charles Town, that a man must be an infidel not to believe it; yet Congress have not had any Public Letter on the occasion, nor has any private Letter from South Carolina, informing of that happy event, been received by any person that I can hear of in this City.

The Enemy have looked at Fort Arnold, & fell down the River 40 Miles, to Kings Ferry, and are Fortifying on both sides of the River. It is said that the Reasonable a 64—exchanged some Shot with the Fort, and that she was dismasted. It is a misfortune to the States, that Congress had not recommended the recruiting Service at the beginning of the Year. Charles, was always a spirited County and I am pleased, that it still continues its exertions.

Crops are very promissing throughout the Continent, and could our Money be prevented from further depreciation, we should have nothing to fear; but if, it continues, God only knows what will be the contingent event. The States have it in their power to appreciate it something, but there are so many speculating individuals, that will counteract every public measure, that I dispair of the wished for success. Could we assure the States that there would not be Emissions beyond a certain Sum, the business would be done—but as Congress is uncertain whether sufficient Supplies will come into its Treasury by Taxes or Loan, the Press must be kept going so long as the Money will purchase any thing, or at least till supplies can be otherwise had. I think you have judged right, in not convening the assembly before harvest, its very probable few would have attended had you attempted it.

This moment came to Market Street wharf a Privateer mounting 24 Nine pounders fitted out of New York, owned by Liverpool, Captured by the Boston frigate, it is said there are 90 men on board of her. With my respectful Compliments to Mrs. Johnson, I am Dear Sir, Your Excellys affectionate Servt., Daniel of St Thos Jenifer

15th. P. S. The above Capture is a Letter of Mark from Liverpool, called at New York & bound to Jamaica.

James Duane to Philip Schuyler

My dear Sir

Philad. 15h. June 1779

I this morning had the pleasure of your favour of the 5th Instant. Mine of the 1st May I concluded must have miscarried led into this Belief by your usual punctuality and Attention to your Friends. I greatly differ with you in your Conclusion from the Acceptance of your last Resignation.¹ Your best Friends in Congress were firmly perswaded that your Determination to resign, in every Event, & under every Circumstance, was fixed unalterably! and that you would be *obliged*, and not *hurt* by, the Acceptance. You may be assured you stand very high in the Esteem of three fourths of the States & Members of Congress: No inconsiderable Proportion, considering how much pains have been taken by the factions to injure your Reputation! I tell you once more that If you had communicated to me your wishes, instead of making the second absolute Resignation, any reasonable Vindication of your Character—if any after the honourable Acquittal by your Peers, & Confirmation by Congress, was necessary—could have been obtained. Do not therefore blame Congress, who have enough to distress them, without the Reproach of their Friends: nor suffer Chagrin to disturb you when Glory is out of the Reach of Malice. And your Enemies put to Silence & Shame. Much less be prevailed upon to retire to Privacy 'till Peace & Safety are established. Let our own Private Feelings be sacrificed to our Country. And Let us be contented with the Approbation of our own Consciences.

Far, my dear Sir, be it from your Thoughts to resigning the dearest Concerns of our State, involved in the Indian Department. Can any thing be of so much Importance to Us? Who is able to succeed you? Will you give place to Men unacquainted with the Business? To Strangers, perhaps to ——^s of the State? What will your fellow Citizens say? What your warmest Friends? But if so this Step should be precipitated before we can find a proper Successor it will be inexcusable. I mean to assist you in executing this most important office till we can put it on a proper footing. I will then, with you, chearfully resign it: for it is impossible you can be more heartily tired of a publick Character than I am.

This is a Period in which we may expect decisive Regulations and lasting Security with respect to our Savage Neighbours. Very probably they will soon Sue for Peace: but more than verbal Submission & fair promises ought to be exacted. Since they unprovoked & perfidiously have committed Ruin & Devastation upon our Frontiers: we have a Right to a full & adequate Compensation for the Loss of Lives, Property, Time, Husbandry &c &c. They are able to make it by assignment of part of their Territories. It must be insisted on—not only as an Act of Justice & Retribution for past Injuries: but as a

point of Policy & self preservation. Let them know that they shall always pay dearly for their Ravages: & that their Inhabitants shall answer for their Depredations; & you will have some due tax upon them. At present you have None. Fond of Blood, & destitute of principles, there is no dependence on their most solemn Treaties. I have written my sentiments to our Governor on this subject. If approvd the Execution will remain with you: & it is a work of delicacy & difficulty which will require all your Experience & Abilities, & to which, without exemptions no man but yourself is equal.

The goods you requested are certainly purchasd: and you will find it a seasonable & handsome Assortment for our Indian Friends. Every Aid you request will be granted, the greatest deference being paid to all your Recommendations even by those who do not love you. I will mention the delays of the Quarter Master to the Board of War.

I feel most sensibly the depreciation of our paper money amidst all our golden prospects. We are striving hard to reestablish its Credit. Certainly it is within the Compass of human wisdom & our present powers: if the Legislatures & People will Act with a Vigour & disinterestedness Suitable to so great an Emergency.

You will have heard the agreeable Report from the Southward. Congress have yet no official Inteligence which restrains our Joy.

You have another Visit from Sir Henry Clinton.³ But as we are prepar'd to meet him, I am not apprehensive of any deep Impression.

I have a violent Fit of the *Malade du Suisse!* And have requested Leave of Absence from the Legislature. Col Floyd is already returned without that Ceremony. One of my first wishes will be to meet you for Much have I [*to*] talk of over a friendly Calumet.

Adieu! And believe me ever, Dear Sir, most affectionately, Your Obed. huml. Servant,

Jas Duane

[*P. S.*] Present my Compliments to Mrs. Schuyler & the Ladies & [...]

RC (NN: Schuyler Papers).

¹ For information on General Schuyler's resignation, see Duane to Schuyler, May 1, 1779.

² That is, "enemies."

³ For the British army's movement up the Hudson River, see Daniel of St. Thomas Jenifer to Thomas Johnson, June 8, 1779.

John Fell's Diary

Tuesday June 15th [1779].

Coml Committee. Congress. Sundry Letters and Reports from Committees, a Memorial from Mr Horton¹ one of the Muster Masters,

in behalf of himself and the rest Referrd to a Committee of 3 Vizt. P. M. Marine Committee.

MS (DLC).

¹ Azariah Horton, whose June 14 memorial on the inadequate compensation of officers in the mustering department is in PCC, item 41, 4:67–71. See *JCC*, 14:734, 770–71.

John Jay to George Washington

Sir Philadelphia 15th June 1779

The Petition of Lieutenant Smith, herewith enclosed, contains a State of his case—Congress have referred it to your Excellency.¹

No Express from South Carolina has as yet arrived.

I have the honor to be, With the greatest Respect And Esteem
Your Excellency's Most Obedt Servant, John Jay. Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ Congress had received Lt. James Smith's petition on June 14 and ordered it "referred to the Commander in Chief." Smith, of Col. Thomas Proctor's Continental Artillery Regiment, had been captured while on leave in March 1778 by a detachment of New Jersey loyalists and had been a prisoner on parole in Philadelphia for some time. He had recently learned from the commissary of prisoners, John Beatty, that he would soon have to return to confinement, and since he had also heard that the loyalists were threatening retaliation for the recent execution of a captured New Jersey loyalist, he appealed to Congress to intervene in his behalf. In his June 23 response to Jay, Washington simply stated that "Lt. Smith must comply with his summons." See *JCC*, 14:726; and Washington, *Writings* (Fitzpatrick), 15:305. Smith's June 12 petition to Congress is in the Washington Papers, DLC.

James Lovell to Abigail Adams

June 15th. 1779

Agreable to what I mentioned not long ago to the amiable Wife of my much esteemed Friend, I have sent by Mr. S. A. several Articles of Apparel that will either be useful to you at home in themselves or by barter.

I think the News of Success in Genl. Lincoln's Department is well confirmed in the Gazettes tho we have not a regular Express. It is a great Event in our present Stage of War. It may be improved to much Advantage in Negotiation at least, if the Season is too hot to permit advances to Florida now.

I have written to your Mr. A. the last Week, by Way of Martinique.¹ We have nothing from him since Decr. 8. But Capt. Landais must, I think, be shortly here.

Mr. S. A. will within a few hours after the Arrival of this Post be in the Way of confidential Chat with You, so that I shall reserve myself for Subjects that may occur between this Date and my next Assurances of being with affectionate Esteem, Madam, Your most humb Servt.

James Lovell

RC (MHi: Adams Papers).

¹ See Lovell to John Adams, June 13, 1779.

James Lovell to Horatio Gates

Dear General

June 15th. 1779

I inclose you the Gazette of the Day & the last printed Journal of Congress. It is needless that in my great Want of Time I shou'd attempt any partial Account of those matters which Mr S Adams & Doctor Foster now on their Way will give you detail.

I am affectionately, your very humb Servant.

James Lovell

RC (CtLHi: Ransom Collection).

James Lovell to James Warren

General Warren

June 15th. 1779

As Mr Adams is on his Journey to Boston¹ it is not essential that I should now write minutely, relative to the Points which have been agitated here lately; all proper Communications will be made to you by him in a Way to which an Epistle is only a secondary Satisfaction. He will also give you the whole of what has reached us yet from Sth. Carolina, touching the good Fortune of Genl. Lincoln. But these Considerations would not acquit me to myself if I neglected thus early to acknowledge my Obligations to you for the obliging Expression of your "Desire to be considered as my Friend", contained in yr. Letter of May 30th which reached me the Night before last. Be assured, dear Sir, that you have hereby liquidated a full Page in my Book of Sufferings. There was a Season when I counted upon Thousands & Tens of Thousands; but, for several Months back I have been fully persuaded that all my Hazards, Toils & Watchings were to be recompensed by the Approbation of a *virtuous Few*. I wish the "unusual Anxiety & Weight upon yr. Spirits" may be thrown off so far as it was occasioned by the Ultimata which are one time or other to be debated here: I cannot but think a decent Coalition *would* take Place among such as it is supposed *will* differ, from local Interests or varied Degrees of Resolution. I believe our Ally intends well for

us. But such Belief does not warrant the laying aside political Watchfulness: Nor should the Exertion of this occasion any Disgust in those who feel themselves to be thoroughly well intentioned. If, after Conversation with Mr. S. A. you wish Informations may be sent from this Place respecting the Result of Points not quite decided when he left us relative to Cod & Hadock, I will endeavor to give you all the Satisfaction My Circumstances will allow. You will always consider the Distinction between catching & *drying* being Rights with widely differing Foundations.

As to our money, it cannot be mended but by stopping the Press. Taxes, if the States should even comply punctually with our Recommendations, which their past Conduct does not warrant us to look for, will not answer by themselves. We are about to borrow 20 Mills of the People on probable temptations. But can we offer Interest in exact Proportion to Exchange to such Persons as *now* may be disposed to lend, and not pay the same to those who have *formerly* lent. I think not. We did equal Justice when we offered Bills on France. We must do the same at this Time. Give 6 per Ct. conditional, to rise in Proportion to the *Quantity* in Circulation at the Date of the Certificate and the Due of Interest;² as, unavoidably, Something of an Emission must go on, till we are otherwise supplied. For my Part, I think such a Measure would alone be sufficient to obtain much Money.

Some Thoughts are suggested of holding the Principal till the Currency shall be $\frac{1}{8}$ appreciated; but this is holding up no Temptation, for, if the Press is stopped, the Appreciation would inevitably be $\frac{1}{8}$ in a very short Term indeed.

If the "Sacrifice of Consistency" which you justly notice was made in a Case where there were Abilities of a Size to produce any great Events, I should be more chagrined than I am at observing the public want of a republican Delicacy in the Case stated.

I am sorry the Opportunities for Holland were not the Carriers of my Letters as I have been unlucky here. Our worthy Friend John Adams must think I neglect him in his very odd Situation. We are ripening towards measures which must induce an immediate & definite consequential Disposition of him, and I have no doubt of an honorable one. As to the Assents and Dissents in our tragicomical Journals, the Grounds of them are hard to be fathomed; and the Case you mention is a very delicate one;³ I dare venture, however, to say that it is not to be accounted for by *Want* of Honesty, but rather by the Quantity of that Species which puts us off of Guard against the Arts of designing Men.

By hearsay or conjecture you are become so much master of my Situation, that I shall have no great Fears of your Reproof, if, feeling half as unwell from Watching as I do at present, I shall, now and then, omit a direct Return to your kind Correspondence. I slight my Feelings, at this Time, to prove my ready Acceptance of the Inter-

course to which you so pleasingly have provoked.

Your most humble Servant,

James Lovell

RC (MHi: Warren-Adams Papers).

¹ Samuel Adams' departure this day is documented in Samuel Holten's June 15 diary entry. "Tuesday. I ride out with Mr. Adams and took leave of him, & he proceeded on to Boston; I wrote to Colo. Hutchinson and to Mrs. Holten (No. 61). a cool day." MDaAr.

² Lovell wrote the phrase "or *Depreciation*" in the margin beside this paragraph.

³ The nature of this "Case" can not be determined without Warren's letter to Lovell, which has not been found.

Rhode Island Delegates to William Greene

Sir,

Philadelphia June 15th 1779

Mr. Marchant arrived last Saturday Evening, and yesterday took his Seat in Congress.¹ Your Excellency's Letter of the 3d Instant referring to the States Account against the United States brought forward by Mr. Marchant we shall pay the most diligent Attention to.² But such are the various and Extensive Demands upon the Treasury and the exhausted State of it, that we have not the most sanguine Expectations of immediate Success.³ We shall not fail of every Exertion to fulfill the Wishes of the State and of obtaining that Relief which its Circumstances demand. We enclose Your Excellency the last Papers which will give the agreeable Intelligence from the Southward which is fully credited altho' as yet we have recd. no official Accounts. With the greatest Respect We are, Your Excellencys most obedient, and very humble Servts.

William Ellery

Hy. Marchant

John Collins

[P. S.] In Congress. The last Journals of Congress is also enclosed.

RC (R-Ar: Letters to Governors). Written by Ellery, and signed by Ellery, Collins, and Marchant.

¹ See JCC, 14:725.

² Governor Greene's June 3 letter to the Rhode Island Delegates is in William R. Staples, *Rhode Island in the Continental Congress, 1765-1790* (Providence: Providence Press Co., 1870), pp. 240-41.

³ See the Rhode Island delegates' letters to Greene of June 29, 1779.

Nathaniel Scudder to Richard Henry Lee

Dear Sir,

Philadelphia June 15th 1779.

I yesterday received your very agreeable Favor of the 6th instant,¹ and am much gratified by your Confidence & Approbation, for, be

assured my Dear Sir, there are, in public Life, few greater Consolations than to stand well with those, whose unvarying Conduct, through the whole Course of such a Contest as ours, bespeak and prove them the *great* and the *Good*. The Plaudits of such Characters will always be Food to the generous Mind, and the Defence and Support of them the spontaneous Effort of every patriotic Spirit.

We have done no great Things since you left us, however as Determinations have been made respecting some great Characters on the other Side the Water, I will give you the best Account of them from my Memory, as I have it not in my Power at present to apply to the Journals.

On the Questions, "Shall Mr Izard be recalled?" "Shall Mr. William Lee be recalled?" they both passed in the affirmative by a small Majority. Each of these Questions, as soon as determined, was succeeded by this Proposition; Resolved that it is the Sense of Congress, that Mr. Izard, Mr William Lee, be not required to repair to America unless convenient &c. or words to that particular Effect; and the said Proposition respecting them both passed also in the affirmative: so that those Gentlemen are left entirely at their own Option.²

I cannot omit to mention, that we had many curious & learned Debates respecting the Meaning and Definition of the Word "recall," and I at one Time apprehended the Result might have produced the Necessity of a Correction in most of our modern Dictionaries, however in Time it being wisely judged, that, although *we* might determine, that by recalling a Man we meant that he should continue where he was, and should even proceed so far as to publish our Battalia of Yeas and Nays upon the new Definition, yet our Constituents, who seem to have abated of their implicate Confidence in us, might not fully accord thereto, it was thought best to proceed in the Manner I have before related.

Next came on an excentric Attack upon Mr. Arthur Lee in Manner and Form following; Mr. Burke, seconded by Mr. ——— say Smith,³ tho I am not quite certain, laid in the following Proposition, vizt. "Resolved, that Mr. Silas Dean be directed not to depart the united States without special Permission of Congress and that Mr. Arthur Lee be ordered forthwith to repair to America &c:" After much Debate, when the Question was about to be put, a Division was called for, and the previous Question moved on each Part of it. On the first Part the previous Question was lost by a Division, and by a peculiar Turn of Providence the main Question shared the same Fate, and after all his Enemies Maneuvres, when the previous Question came to be put on that Part which respected Mr. Lee it obtained almost unanimously, and to their utter Mortification he remained in Statu quo. Whether they will venture at any future Time to renew the Attack I know not, if they do I hope we shall place this Business on better Ground than a base Division, as I think Rhode Island, New

Jersey and Delaware will pretty generally hereafter stand fair—Mr. Marchant is arrived here, I expect Mr. Houston from Jersey in a Day or two—Mr. McKean is in Congress & Mr. Van Dyck hourly looked for. Contra—Doctr. Witherspoon is gone on a Mission to Vermont and our Friend Mr. Adams sets off for Boston this morning.

I ought to add respecting Burke's Proposition, that on the main Question for Detention of Mr Dean in America, The Yeas were New York, Virginia, North & South Carolina, The Nays, New Hampshire, Massachusetts, Connecticut and Pennsylvania—Rhode Island, New Jersey & Maryland divided, Delaware, Mr. Dickinson, not present—the Reason you may conjecture.

All the Difference from the above State, if applied to the previous Question, was that Mr Fell voted for the previous Question, and Mr Henry against it—whereas on the main Question Mr. Fell voted ay, and Mr. Henry Nay, which divided both the States to the utter Confusion of &c. &c. &c. after it had been audibly declared, "all hollow," "all hollow."

Thus are the crafty taken in their own Devices. and I suppose Mr. Henry will undergo a severe Gauntlet for so sacreligiously subverting their political Babel.

We have not as yet appointed any new Ministers, nor have we any foreign News of Importance. I seriously apprehend some new *Folger*⁴ has arisen to thwart our Advices.

We have not yet been able as yet to ascertain the Evidence of Doctr. D——⁵ as to Communication of signing the Treaty to *London*, he being gone on the western Expedition; and we cannot discover who the Person is in this City to whom he attended; however I hope in a little Time through Mr. Sergeant or Mr. McKean to obtain satisfactory Information, when I do, I shall make the best Use of it here, & immediately communicate it to you.

I congratulate you on your Family's Escape from the Depredations of the Enemy, tho I lament the Ravages they have committed in your State; I wish Providence had suffered a less severe Jogg to have awakened you.

I also congratulate you on the glorious Successes of our Friends in South Carolina, & I hope Georgia too, tho we are not yet freed from the pains of Suspense by any regular Express from that Quarter—I however am sanguine enough to hope for an entire Burgoyneage alias *Prevoage*⁶ of the british Army in that Department.

The Enemy are gone up the North River in Force and have possessed themselves of, & are fortifying King's Ferry. The Boston & Confederacy yesterday sent up a fine prize Ship of 24 Guns, with Stores & Provisions on Board for a long Cruise.

Want of Time & Paper conspire to prevent my adding any thing further at this Time but that all Friends are well, and that I am with high Esteem & great Sincerity your Friend and most Obedient humble Servt.

Nath. Scudder

P. S. I hope we shall in a few Days finish out Loans on a happy Scale.

RC (ViU: Lee Family Papers).

¹ Although Lee's letter to Scudder has not been found, he wrote two other letters on June 6, to Samuel Adams and to Henry Laurens, which contain a number of comments on matters of recent concern to Congress. See Lee, *Letters* (Ballagh), 2:59–64.

² See *JCC*, 14:700–705.

³ Actually Henry Laurens. *JCC*, 14:711–12. See also Henry Laurens' Notes of Debates, June 11; Samuel Adams to Richard Henry Lee, June 13; and James Lovell to John Adams and to Arthur Lee, June 13, 1779.

⁴ For the case of Capt. John Folger, who had been suspected of stealing a packet of dispatches from the American commissioners in Paris in January 1778, see these *Letters*, 8:560–65, 567–68, 584, 612–13, 616.

⁵ Although the letter is clearly *D* in the manuscript, Scudder is likely referring to Dr. Joseph Kendall, for whom see Richard Henry Lee to Henry Laurens, May 27, 1779.

⁶ Scudder was apparently expressing his hope that Maj. Gen. Augustine Prevost, commander of the British forces in the south, would meet a fate similar to that of Gen. John Burgoyne at Saratoga.

John Dickinson to Thomas Burke and Samuel Huntington

Gentlemen, Wednesday Morning [June 16–July 21? 1779]¹

The Letters sent with this were put into my Hands Yesterday Evening by one of the Clerks in the Secretary's Office. The Decease of a near Relation prevents my waiting upon You with them. I have looked over them; & nothing practicable occurs to Me, but Congress's taking up our Report made on the 14th of June,² which I now send to You. I have sketched out some small Additions,³ which if You approve, appear to me not improper to be reported on those Letters. Would it not also be expedient, to report, that Congress instantly write to the Executive powers, in the most pressing Form on the subject, setting forth the Difficulties in the public Service, not to be surmounted but by an immediate Compliance of the several Legislatures with the Regulations pointed out? The measure has been adopted by the State of New York in a partial Manner & far from equitable as to its Inhabitants, & yet executed with great Advantage to the public—I know of no Business before Congress requiring such immediate Attention and Dispatch as this. I am with great Respect, Gentlemen, your most obedient Servant,

John Dickinson

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson.

¹ Dickinson, Burke, and Huntington had been appointed on May 28 to inquire into the "enormous expences" of the quartermaster, commissary, and medical departments,

for which see John Dickinson's Notes, June 11, 1779, note 1. The committee brought in a report on Monday, June 14, which was considered and then postponed "till Wednesday next." *JCC*, 14:726–27. Dickinson may have written this letter to his fellow committee members in anticipation that Congress would be "taking up our Report" the sixteenth, the Wednesday following its introduction. It is equally clear, however, that he could have written it on almost any "Wednesday Morning" thereafter before July 23 when Congress ordered the printing of a report on "regulating and retrenching the expences of the departments" in which many of the concerns of Dickinson's committee were embodied. See *JCC*, 14:872–80. He apparently thought that the "Letters" and the "small additions" (see note three below) to the report that he enclosed herewith might be of use to them in his absence, as "the Decease of a near Relation" was obviously forcing a change in his plans.

² For the text of surviving items of their report see *JCC*, 14:727–28, 809; and *PCC*, item 29, fols. 163–64. The remainder of the report has not been found. For the extent of Dickinson's involvement in departmental reform, see also John Dickinson's Notes, ante July 23, 1779, note 1.

³ Dickinson's hasty letter to Burke and Huntington was penned at the bottom of a sheet of paper beneath the following suggested preamble and amendment to item 7 of their June 14 report, for which see *JCC*, 14:727.

"Whereas many persons demand exorbitant prices for Commodities required for public service, far exceeding an Advance in proportion to the Depreciation of the Currency arising from its Quantity, by which Conduct they cause as much as they can still greater Depreciation, on the Supposition whereof they demand such prices, thereby counteracting every Measure that can be devised for appreciating the said Currency, Resolved (here insert the 7th Resolution of the Report carried in the 14th of June) & after the Word 'Rates,' dele the Words, 'to wit,' & say— 'and that in the Meantime the Q[uar]ter] M[aster] G[eneral] & C[ommissary] G[eneral] of purchases & all Officers respectively under them be ordered not to give any prices exceeding the said Rates.' "

John Fell's Diary

Wednesday June 16th [1779].

Com. Committee. Congres. Letter from Genl Washington, relating to the Enemys movements at the North River. Report from the Committee appointed to the affair of Vermont & N York, after debate agreed to. Order of the Day on finance, Motion for raising the Interest to former lenders, to make good the Loss on depreciation. Long Debate.

9 A.M. S F & Peter sett off.¹

MS (DLC).

¹ In his entry for May 28, 1779, Fell indicated that he had sent for his wife Susanna and son Peter who subsequently joined him in Philadelphia for a brief visit. Peter Fell was nominated the following week for the position of clothier general and again on July 19. See *JCC*, 14:757, 854.

John Jay to Certain States

Sir, Philadelphia 16th June 1779

Copies of two Acts of Congress of the 14th Inst, are herewith enclosed—One recommending to the States to exempt Drivers of Waggon from Militia duties while in Service—The other for ascertaining their wages.¹

I have the honor to be, with great Respect, Your Excellency's, Most obedt. Servant.²

LB (DNA: PCC, item 14). Addressed: "To Governor [William] Livingston. The same verbatim to Presidt [Joseph] Reed, & Governors [Caesar] Rodney, [Thomas] Johnson and [Thomas] Jefferson."

¹ JCC, 14:726–27. For the background of these resolves, see John Dickinson's Notes, June 11, 1779, note. Jay also sent these resolves this day with a nearly identical letter to Quartermaster General Nathanael Greene. PCC, item 14, fol. 130.

² In similar letters of this date, Jay also sent Congress' June 14 resolve "recommending to the States to exempt Drivers of Waggon from Militia duties while in Service" to the executives of New Hampshire, Massachusetts, Rhode Island, Connecticut, North Carolina, South Carolina, and Georgia. PCC, item 14, fol. 129.

John Jay to George Clinton

Sir, Philadelphia 16th June 1779

Copies of two Acts of Congress are herewith enclosed—One of the 14th Inst, recommending to the States to exempt drivers of Waggon, while in the Service from Militia duty—The other of the 15th [*i.e.* 16th] Inst, on the Subject of your Excellencys Letter of the 7th Inst.¹

I have the honor to be, with great Respect & Esteem, Your Excellency's, most Obedient Servant.

LB (DNA: PCC, item 14).

¹For this June 16 resolve see the following entry.

John Jay to the Committee on Vermont

Gentlemen, Philadelphia 16th June 1779

You will receive, herewith enclosed, a Copy of an Act of Congress of the 16th Inst, together with Copies of two Letters of the 29th May last, & 7th Inst, from Governor Clinton, and of One from Samuel Minot of the 26th May last to Governor Clinton.¹

The Southern Express is not yet arrived and we have no other Intelligence from Charles town than what consists in a variety of Reports of a victory obtained there over the Enemy.

I have the honor to be with great Respect, gentlemen your most Obe. Sert.

LB (DNA: PCC, item 14). Addressed: "To the Honorable the Revd. Doctr. Wither-
spoon, Coll. Atlee, Timothy Edwards, Oliver Elseworth and Jesse Root Esquires."

¹ In his letter to President Jay of May 29, New York governor George Clinton had enclosed a May 25 letter from Samuel Minott, chairman of the Cumberland County Committee at Brattleborough, recounting their recent experience with Col. Ethan Allen and a detachment of Green Mountain Boys who had seized a number of their group "for the purpose of reducing the Loyal Inhabitents of this County to a Submission to the authority of the State of Vermont." In a long letter of June 7, Clinton had expressed alarm at Allen's "atrocious Insult on the Civil authority of this State" and apprehension that faced with such a show of force the Committee on Vermont "will by no means produce the salutary Effects for which I suppose it was calculated."

Clinton's letters were referred to a committee consisting of John Armstrong, Daniel of St. Thomas Jenifer, and William Sharpe which brought in a report on June 16, whereupon Congress immediately resolved to forward copies of the documents to the Committee on Vermont for the purpose of inquiring into New York's complaints. *JCC*, 14:721, 741-42. The letters of Clinton and Minott are in PCC, item 40, 1:191-93, 199-200, item 67, 2:190-97; and Clinton, *Papers* (Hastings), 4:846-47, 858, 5:54-57.

James Lovell to Samuel Adams

16th of June 1779

Since you left us a matter has occurred which may affect more than your meer Curiosity, I therefore will give it to you in its present State and will in time give you an Acct. of its Consequences.

In Congress June 15th.¹ A Letter of this day from doct. J. Morgan was read charging doct. William Shippen junr in the Service of the United States with Malpractices & Misconduct in office, & declaring his readiness to give, before the proper Court having jurisdiction, the necessary Evidence in the Premises against the said doct. William Shippen.

On Motion of Mr Laurens seconded by Mr. Drayton

Resolved That a Copy of the sd Letter be transmitted to the Commander in Chief, and that he be directed to cause such proceedings to be had thereon as that the Charges alluded to in it be speedily inquired into and Justice done.

Ordered That an Extract of the Letter with the above Resolution be transmitted to Doctr. Shippen.

Yesterday a Report was brought in by the Treasurer to give Mr. Storey Emoluments similar to those in the secretary's office here to a first Clerk.² But it was judged that ill Consequences wd. flow from setting a Philadelphia mode for Boston Salaries; therefore the Matter was referred back to My Lords to *take order*. They will direct the Navy to a Sum more adequate than heretofore, but in a Way that may not draw on other Applications in necessary Consequence.

A Warrant also issued in yr favr for 1500 Dollrs. on your Application the State to be accounta[ble].³

An Answer was given in a Draught by the Comtee appointed on the Letter of the King of France respecting the Birth of a Daughter,

Madame de France. There is nothing Extra in it—except asking for the Kings & Queens Picture for the Congress Chamber. On this point might be said, *both Sides*. It will flatter France & mortify England. A very begging Letter was also prepared for Stores, to Amt. of 3 mills. stg. to be pd. for in Peace.¹

Nothing direct & decisive yet from Sth. Carolina. A man is said to have been found murdered by the Side of a Road in Virginia, booted and spurred. The Tories may have thus stopped our Intelligence.

Compliments to such as I would present them from you.

Your Friend & very humble Servant,

J.L.

RC (NN: Samuel Adams Papers).

¹ See *JCC*, 14:733–34.

² See Samuel Adams to James Warren, May 11, 1779, note 3.

³ *JCC*, 14:734.

⁴ Although Congress approved a draft letter to the king of France on this day, it was not ready for dispatching until July 10. See John Jay to the King of France, July 10, 1779.

New York Delegates to George Clinton

Sir

Philadelphia 16th June 1779

We have been favored with your Excellencys Letter of the 7th Inst. on the Subject of the late Resolutions of Congress respecting the Revolt in New York—The President will transmit to you their further Resolutions on that Head.¹

As the State of New York by their remonstrances to Congress demanded Justice against the Revolters they thought it reasonable to be assured that the State had done them Equity before Congress interfered and for that Purpose appointed a Committee to enquire & report. The Spirit of your Letter to Congress will advance the Business. We conceive it to be in a good train, & are clearly of opinion that the Committee ought to proceed. Any Decisions of Congress made *ex parte* would have less weight, than if made after hearing these People. The Majority of the house have very proper Ideas on the Subject—and we flatter ourselves that it will terminate right.²

We have the Honor to be, With great Respect And Esteem, Your Excellency's Most Obedt. Servants,

John Jay.

Jas. Duane

RC (N: Clinton Papers). In the hand of Henry Brockholst Livingston and signed by Jay and Duane. FC (NH: Duane Papers). In Jay's hand. RC damaged; missing words supplied from FC.

¹ See Jay's letters to Clinton and to the Committee on Vermont, this date.

² Clinton informed the New York delegates on June 23 that because of the assur-

ances contained in this letter he would defer action against Vermont except "for supporting the Authority of the State and giving Protection to its Subjects." PCC, item 40, 1:205–6.

Committee of Congress to John Chaloner and James White

Gentn.

Phila. 17th June 1779.

In Consequence of an Application to us from the Consul of France we are to request that you will furnish us immediately with a Return of what hath been done in Consequence of our several Orders to you on the Subject of Provisions for the Fleet of his most Christian Majesty.¹

I am very respectfully, Gentn., your obedt. & humble Servt.

Gouv Morris

RC (PHi: Chaloner & White Papers). Written and signed by Gouverneur Morris.

¹ A copy of Jean Holker's June 16 "Application" to Morris which stimulated this request is in the Holker Papers, DLC.

John Fell's Diary

Thursday June 17th. 1779.

Commercial Committee. Congress. After the Dispatches &c were Read the Order of the Day on fixing the Ultimatom for Instructions to the Minister Plenopentiary &c.

P.M. 6 OClock Marine Committee.

MS (DLC).

John Fell's Diary

Friday June 18th [1779].

Com. Committee. Congress. Sundry dispatches Memorials &c. A Memorial from Cs. Pettit—DQG complaining of the State of New Jersey Taxing him and Mr Cox, from One to ten thousand Pound at the discretion of the Assesor. Committed to 3 vizt. Mr McKean, Mr Paca, Mr Lovell. Order of the day on finance long debate whether the lenders on former Loans from March 1st 1778 should have the Promise of their Interest being Put on the same footing as those, are, which are to have an increase of Interest on the Present Loan if the money should farther depreciate. Duane, Scudder, Paca, Henry, Smith, Fleming, Burk, Laurens, Drayton No.¹

PM Marine Committee.

MS (DLC).

¹ According to the journals, Daniel of St. Thomas Jenifer also voted against this motion, which was resolved in the affirmative. See *JCC*, 14:748.

Samuel Holten's Diary

[June 18–19, 1779]

18. Friday. I have received information that Genl. Ward is elected a Delegate for Massa Bay in the room of Mr. Edwards.¹

19. Saturday. I dined with Mr. Smith & Mr. Fleming, 2 of the Delegates of the State of Virginia.

MS (MDaAr).

¹ Although Artemas Ward had been elected a delegate on June 4, 1779, to replace Timothy Edwards "resigned," he did not attend Congress until June 14, 1780, after he had been reelected with the delegation selected by the Massachusetts General Court on November 18, 1779. See *JCC*, 16:2, 17:509; and Minutes of the Massachusetts Council, October 15, 1778, to September 28, 1779, p. 280; and September 28, 1779, to October 4, 1780, p. 102, DLC (ESR).

John Jay to Benjamin Franklin

Sir,

In Congress Philadelphia, June 18th 1779.

I enclose you Acts of Congress of the 5th & 18th Instant respecting Bills of Exchange for two Millions four hundred thousand Livres Tournois principal, and four hundred and thirty two thousand Livres Interest, drawn on you in favour of Monsieur de Beaumarchais, and payable in the several Sums, and at the respective times specified in the enclosed Schedule.¹ Sensible of Mr Beaumarchais' efforts to serve these United States, & of the seasonable supplies he has from time to time furnished, Congress are earnestly disposed to make him this payment. They would gladly have done it in produce, but the state of our finances, and the hazardous Navigation render it impracticable.

We flatter ourselves that you will be able to discharge the respective drafts with punctuality. If difficulties occur you will have time to represent them to Congress, who will exert all the Means in their power to prevent any loss or disappointment to Monsieur de Beaumarchais.

I have the honor to be Sir with great Respect & Esteem, your most obedt. Servant,

John Jay. Presidt

RC (PHi: Franklin Papers). In a clerical hand with complimentary close and signature by Jay.

¹ *JCC*, 14:690–93, 746–47. Congress' resolves of June 5 and 18, 1779, were something of a milestone in the yearlong effort of Jean Théveneau de Francy to secure payment for goods supplied by Caron de Beaumarchais to the Committee of

Commerce. See, e.g., these *Letters*, 9:221–23, 279–84, 678–79, 10:63–67, and vol. 11–12 index references to Beaumarchais and Francy.

This temporary resolution of Beaumarchais' claims owed much to the work of Henry Laurens, who was chairman of the committee to whom de Francy's May 1 memorial on the subject had been referred on May 11, 1779. *JCC*, 14:569. Laurens' central role in this settlement is documented by the fact that the committee's June 3 report on de Francy's memorial is in Laurens' hand, a fact not readily ascertained since the document has not been preserved with the PCC but is located rather in the "Records Pertaining to the Claim of Beaumarchais," RG 76, DNA. Similarly, de Francy's memorial is not in PCC, but a 47-page copy of it—in the hand of Laurens' secretaries James Custer and Moses Young—is in the Laurens Papers, no. 9, ScHi, where several other documents related to the case are also found. In addition to originals and transcripts of several letters pertaining to the case, Laurens also retained a copy of "M. de Francy's state of M. Beaumarchais's demand against the United States," upon which he based the data contained in his June 3 report on de Francy's memorial.

Gouverneur Morris to Robert Morris

Dr Morris

Phila: 18 June 1779

I was infinitely obliged by your kind Letter.¹ That Calumny directs her Shafts against me I believe. That Innocence alone is not a sufficient safe Guard I know. But I also know that Appeals to the Public on such Subjects by no Means remove the Ill Effects of the Attacks which are made. At the same Time it is inconsistent with the Office I hold to appear on the Public Stage agt. every one who shall amuse himself with Defamation. Be not however uneasy for your Friend. I venture to assure you that he will rise from the Stroke and pity the Envy of his Foes. The Tales circulated among the People I can trace back to Men who having inlisted themselves under the Banners of Faction & being disappointed in their Views burn with deadly Hate and seek Revenge in low Abuse and villainous Insinuation. You will oblige me if whenever any Member of Congress or other makes free with my Reputation you will question him as to Facts and Evidence. It would give me great Pleasure to fix upon some Scoundrel the deep Lie and open all his Infamy to his own View.

That Congress should leave this Place I fully agree & have long been of that Opinion but there must be a Majority for it and for some other Place, two very difficult Things.

Adieu, yours,

Gouv. Morris

P. S. I hear you have resigned.² If so you had better in my Opinion remove into the State of New York. Something advantageous will soon turn up there & at any Rate your Practice will be more beneficial.

RC (NjR: Robert Morris Papers).

¹ Robert's draft of his May 16 letter to Gouverneur, which is acknowledged here, is in the Robert Morris Papers, NjR.

² See John Fell to Robert Morris, June 13, 1779, note 2.

John Fell's Diary

Saturday June 19th [1779].

Commercial Committee. Congress. After the Letters &c. The order of the day on the Report of the Committee on the Memorial from Mr Gerrard, after some debate to very little Purpose the Eastern Members made a new motion about the Fishery, to which amendments were Propos'd and long and Idle debates ensued according to custom, when ever the fishery is the subject.

MS (DLC).

Henry Laurens' Notes of Debates

19th of June 1779¹

The Ultimata being Order of the Day, One or more of the Resolutions recommended by a Committee of the whole set aside by previous question as twenty, or perhaps more, or say few more or less had been on Thursday—then agreed to postpone the consideration of the remainder until a Proposition by Mr. Gerry should be considered.

The Proposition as follows.²

That it is essential to the welfare of these United States that the Inhabitants thereof at the expiration of the War should continue to enjoy the free and undisturbed exercise of their common right to fish on the Banks of Newfoundland and other Banks and Seas of North America, preserving inviolate the Treaties between France and the said States.³

That an explanatory Article be prepared and sent to our Minister Plenipotentiary at the Court of Versailles to be by him presented to his most Christian Majesty whereby the common right to the said Fishery be more explicitly guaranteed to the Inhabitants of these States than it already is by the Treaties aforesaid.

That the said Minister Plenipotentiary be instructed to obtain in the Treaty of Peace with Great Britain a stipulation on their part not to disturb the Inhabitants of these States in the free exercise of their common right to the said Fishery, and that he be authorized to make a reciprocal engagement on the part of the United States.

That the faith of Congress be pledged to the several States that without their unanimous consent no Treaty of Commerce shall be formed with Great Britain previous to such stipulation.

That the explanatory Article should not be satisfied by His Most Christian Majesty, nor the Stipulation adopted by the Court of Great Britain the said Minister Plenipotentiary be directed to give notice thereof to Congress and not to sign any Treaty of Peace until their pleasure be known.

Debate on the first Clause from 1/2 past 11 to 1/2 past 3 oClock—adjourned without determin[ing].

In the course of debate Mr. Gerry who upon a former day had warmly censured the North Carolina Members and others who had unwarily disclosed that they had consulted the Minister of France on the Article for securing the Fisheries avowed that he had now in his turn conferred on the same subject with the Minister.

Mr. G. Morris said our pretended private business was no secret, it was known and talked of in every one of the States. Mr. McKean confirmed this as to every County Town in Pennsylvania.

Mr. Laurens rose and said I speak to privilege.

“Mr. President, I find this business has been spoke of without much reserve aboard, one gentleman acknowledges that he has conversed on it with the Minister of France, we know that several others had done so before him—another Gentleman informs us that our pretended *private business* is known and talked of in every one of the States. I have reason to believe it has been transmitted to South Carolina—but not by me. I have hitherto held myself restricted from speaking or writing on the subject, but I now give notice that henceforward I shall not consider myself under any obligations.”

Mr. Drayton—If the intelligence has been transmitted to South Carolina it was not by me, so far I am upon an equal footing with my Colleague.

* 23d June. This information now appears to wear the aspect of an harbinger to Americanus in the Pensylvania Gazette of this day.⁴

Tr (ScHi: Laurens Papers, no. 20). In the hand of James Custer and endorsed by Henry Laurens: “Release from Bond of Secrecy— respecting Fishery &c.”

¹ Although Custer dated these notes “19th of June 1779,” it is clear that they were put into their present form no earlier than June 23, as Laurens’ concluding comment concerns an event of that date.

² “The Proposition” appears in the journals as five numbered propositions, which follow nearly verbatim Laurens’ next five paragraphs. *JCC*, 14:749–50. They appear also in Austin, *Life of Elbridge Gerry*, 1:287–88, where they are followed by a summary of Gerry’s remarks on them when they were introduced. Austin’s summary suggests that he prepared it from original notes by Gerry then in his possession. It is reprinted here verbatim, *ibid.*, 1:289–92.

“It is not so much fishing, said he, as enterprise, industry and employment. It is not fish merely which gentlemen sneer at, it is gold, the produce of that avocation. It is the employment of those who would otherwise be idle, the food of those who would otherwise be hungry, the wealth of those who would otherwise be poor, that depend on your putting these resolutions into the instructions of your minister.

“He denied that it would protract the war. Whenever Great Britain is ready to acknowledge your independence she will be ready to accede to all your other reasonable and fair demands. It is not to be expected that she will incline to diminish your boundaries either on the land or the ocean. Show her that this is your right, you will obtain it of her justice; or prove to her that it is your determination to maintain it, and you will secure it from her policy.

“As to our right, Mr. Gerry said, the God of nature gave it to us. He made the sea the common property of all mankind in a more strict sense than he had done the

land. Land requires exclusive occupation for government, cultivation or property. But the great world of waters admits of no national appropriation. Where the winds can carry us upon the ocean, there we may sail, and where we sail, there we occupy, and what we occupy we may of right use for the purposes for which occupation is valuable; and it might as well be claimed by any nation to restrain us from navigation as fishery. We ask only the right of casting our hooks into the ocean and owning what we may catch; and to say that this is not the right of an independent people, is to say they have purchased a nominal independence, by affixing to themselves a constant mark of vassalage; for unless the right is bargained away by treaty it belongs to us by inheritance.

"If it could be supposed that any obstruction to our rights originated in the policy of our ally, it would diminish the affection with which our great friend is now cherished in the hearts of our people. But before France had given us one encouraging word, the people of New-England had poured out their blood like water in defence of their rights; they had been cheered also by their southern friends, but at first they had stood alone; and by God's blessing they would stand alone again without allies or friends, before they would barter away their rights.

"If such a surrender could take place, the commerce of New-England will on the return of peace seek British channels. It will be the object of Britain to detach us from all commercial connexion with our ally, and she will find her objects greatly assisted by the temper of our people.

"But if we insist on the right, Britain will yield it to us. Her policy will assist us. After a peace she will be desirous of our custom. She will not be likely to crowd the terms of a peace that looks disgraceful to us, and will be felt as oppressive. In making any peace she will have done much for her own humiliation, and she will do a little more for our favour. It will be her policy, when she is no longer our open enemy, to have us believe she is truly our friend; and by the liberality of her conditions, to obliterate our animosity. Our commerce will be of little value to her unless we enjoy the fisheries, and any commerce with her would without them be ruinous to ourselves. By lessening our means of payment we must either stop the importations of her manufacturers, or burthen ourselves with a constantly increasing debt."

For Gerry's role "as the leading champion to make the fisheries a fundamental part of any peace treaty," see George A. Billias, *Elbridge Gerry: Founding Father and Republican Statesman* (New York: McGraw-Hill Co., 1976), pp. 92–95.

³ There is a second copy of Gerry's "propositions," in Laurens' hand, in another unit of the Laurens Papers, where it is followed by additional notes of debates on them by Laurens dated June 19 and July 17. Those of July 17 follow almost verbatim those on the fourth proposition recorded in the journals under that date (*JCC*, 14: 850), but the following notes of June 19 on a motion by Gouverneur Morris concerning the first proposition are unique.

"The first proposition being read a motion was made by Mr Morris seconded by Mr. D[rayton] to strike out the words 'essential to the welfare of ' & also the word 'that' after United States & the words 'should continue' in order in the room of the former words to insert 'would be very injurious to' in the room of 'that' to insert 'and' & in lieu of the latter words to insert 'not'. Y[ea]s & N[ay]s. The words stand." Laurens Papers, no. 22, ScHi.

⁴ The congressional debate on the ultimata, long a matter of general interest, had recently become a subject of public discussion in several American newspapers. A particularly telling analysis of Congress' inability to reach agreement on peace terms appeared in the June 23 issue of the *Pennsylvania Gazette* over the pseudonym "Americanus," a frequent contributor to such public debates. Upon this occasion, "Americanus" had been moved to deny charges, made by Francis Lighfoot Lee in the May 28 issue of the *Maryland Gazette*, that responsibility for the impasse lay with pro-French delegates ["the execrable faction"], concluding instead that the actual culprit was the demand of New Englanders to make American access to the Newfoundland fisheries a sine qua non of any peace treaty.

As the tenor of the essay suggested intimate knowledge of Congress' proceedings,

the identity of "Americanus" stimulated considerable speculation in subsequent issues of the *Gazette*, but it was not discovered and continues to baffle historians to the present day. When Thomas Paine suggested that the essay was the work of Gouverneur Morris, Morris promptly denied the allegation in an essay signed "Cato" that appeared in the July 9 issue of the *Gazette*, for which see Gouverneur Morris to Benjamin Towne, July 9? 1779. The best analyses of the subject are those of Edmund Burnett and William Stinchcombe, but since neither knew that Morris was the author of the "Cato" essay, their conclusions are open to objection. See Burnett, *Letters*, 4:276–79; and William C. Stinchcombe, *The American Revolution and the French Alliance* (Syracuse: Syracuse University Press, 1969), pp. 68–69. See also James Lovell to Samuel Adams, July 8, 1779, note 2. For discussion of the larger issue of French efforts to influence the American debate on peace terms, see Stinchcombe, *op. cit.*, chapter 5; and Orville T. Murphy, *Charles Gravier, Comte de Vergennes; French Diplomacy in the Age of Revolution: 1719–1787* (Albany: State University of New York Press, 1982), chapter 30.

John Jay to George Washington

Sir, Philadelphia 20th June 1779

I have been honored with your Excellency's Favor of the 14th Inst.

Herewith enclosed is a Copy of a Letter I lately received from Major General Philips, respecting the exchange of Capt. Fetherston of the Convention Troops, with a Copy of a Resolution of Congress of the 18th Inst on that Subject.¹

Your Excellency's Orders will find this Gentleman at Mount Holly. The Southern Express is not yet arrived.

I have the Honor to be, With the greatest Esteem & Respect, Your Excellency's Most Obedt. Servant, John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ For the enclosed letter and Congress' resolve respecting Capt. William Featherstone, see Jay to William Phillips, June 22, 1779.

Daniel of St. Thomas Jenifer to Robert Christie

Dr Sir. Phila. June 20th 1779

Your favor of the 12th I have received. I have not heard of any Purchasers for the Indian Lands you mention, nor do I know whether Mr Franks is Presidt. of your Compy. or not:¹ if I do not leave Phila. before the 5th of July I will attend the meeting, or speak to Mr. Fitzsimons to do it. Virginia, claims the most, if not all the Indian Lands that have been Sold over the Ohio which makes the Title to these Lands the more precarious.

Congress are endeavoring to re-establish the Credit of the Paper Emissions, & will, it is probable do a great deal towards accomplishing of it within a few days. The Speculators may probably Counter-

act this Salutary measure. Taxes will be exceedingly high, I suppose Lands will fall, in that Case the Purchasing of them at not more than 5 or 6 for one would be advisable.

I can add but little to what I before said as to the Land Chas. Ridgely wants to purchase of you. He probably would perform any promise he might make, but if he should be called hence, no bargain you could make, I fear would bind his Executors, and upon the whole were the Land mine I would keep it. The treble Tax will soon be taken of[f]. And upon a peace Lands will rise, especially in Baltimore County.

Gold is commonly rated at £3.17.6 per oz. but has of late years Sold in London from £3.19. to £4.2.6. Our affairs in Carolina by various reports wear a flattering aspect but Congress have not received any Public dispatches from that Quarter since the 5th of May. No late news from Europe. It is said the Count d Staigne has left Martinique. With my respectful Compliments to the Ladies.

I am, Dear Sir, your affectionate hble Servt.

Daniel of St. Thos Jenifer

RC (MH-H: bMS Am 1649.5). Addressed: "Robert Christie Esqr., Balt. County, Maryland. To be put in the Way bag & left at Stevenson's Tavern."

¹ A list of the members of the "Illinois & Ouabache Land Companys" is in PCC, item 41, 10:532-33, for which see John Henry to Thomas Johnson, January 30, 1779, note 1. In addition to Christie, the list contains the names of David, Jacob, and Moses Franks, but which of them was the object of Christie's query has not been determined.

William Whipple to Josiah Bartlett

My Dear Sir,

Philadelphia 20th June 1779

You may well think it strange that we are so long without intelligence from Europe a circumstance that I cannot accot for, unless we may suppose there has been many miscariages.¹

Your distress on account of the Currency is not to be wondered at, it is really an object of great concern & demands the most serious, & diligent attention; three days in the week are devoted to that business, & I hope a plan will soon make its appearance that will dispel the glooms that now over[s]pread the countenances of Americas Friends. You ask where Genl W — and his army is, I can only answer that they are in the Neighbourhood of Hudsons River; the movements of the Enemy on that River and of our army in consequence, you undoubtedly have a history of, before this time. It is surprising that we have no authentic intelligence from S. Carolina since the 9th May, when undoubtedly very important events have taken place there, since that date, the reports (which are many) all agree that a general action has happened, & that we have gained a compleat victory, the

particulars are hourly expected, perhaps I may have the satisfaction of inclosing them in this letter.

I believe the drawing of the Lottery is nearly finished but my attention has been so much engaged in other matters that I have not thot. lately of making inquiry. I suppose the Genl. Assembly are now setting & I hope something will be done respecting the Grants, New York are continually pressing to have that Business drawn to a conclusion and insist that there shall not be a seperate state but will acquiese in any other mode of settling the dispute. I think it of importance that N. H. shod lay in her Claim and send some person here, well informed, to support the claim, shod that Country be added to N. Y. she will be a powerful, & I am apprehensive a troublesome Neighbour. I know you must have important business before you, but this is an object of such magnitude, as in my humble opinion demands the earliest attention.²

I have been for a long time, daily expecting a Colleague but am still without one; you are not unacquainted with the disadvantages I must necessarily labor under, for want of assistance. When I left home it was my intention to return in May, but as I am determined never to turn my back upon difficulties I have no objection to continue here, till those we have now to encounter are conquered, but must confess I think it hard that I cannot have the aid of a Colleague—both the Lee's have taken leave of Congress. The *Dominion* now makes a very indifferent figure, but I understand there are some appointments which, (when they arrive) will place that state in a more respectable point of light. It is not an agreeable thing to see a state divided, that has never yet been the case with N. H. but will it not be the case, when the two last chosen Gentn. appear together? Unanimity is ever desirable in public Councils but never more necessarily, then at the present day, besides the disadvantages to the public, it must be very disagreeable to any Gentn. to be opposed by his Colleague in Office. I think these considerations ought to have some influence in the choice of public Characters.

22d. Col. Peabody arrived last evening, I find by him that I am not mistaken in my conjecture respecting him, and his intended Colleague,³ cannot something be done to prevent the evils that may be the consequence of a division of sentiments?

I am happy to hear You have such promising prospects of a plentiful Harvest, from all accots. there never was so great an appearance of plenty in this Country as the present season affords. Will not these distinguished marks of the favors of Heaven, dispel our Glooms, and animate us to co-operate in the promotions of our Countrys happiness & in that way shew, Gratitude to divine Benificence.

The Boston & Confederacy have sent in here a ship of 24 Guns & 95 men (a private cruising ship) & it is reported this mornng they have taken the Delaware & destroyed another ship of war, but this wants

confirmation. I hope shortly to have it in my power to give you such information as will tend to dispel the Clouds that seem at present to intercept Your happiness—in the mean time be assured that I am Your very sincere Friend &c,
W.W.

RC (NN: Myers Collection).

¹ Bartlett's letters of May 19 and 29 to which Whipple is responding are in Bartlett, *Papers* (Mevers), pp. 253–54, 256–57.

² The New Hampshire government responded positively to the appointment of the committee to Vermont, writing to the committee on July 3 and sending Ebenezer Thompson to meet with them in Vermont. *N. H. State Papers*, 10:360. According to Bartlett, however, Thompson was never able to meet with either pair of congressional committee members in Vermont.

"Mr. Secretary Thompson," Bartlett explained to Whipple on July 10, "who was sent to Vermont to wait on the Committee of Congress, is returned without seeing them; it seems they came two at a time and went off without seeing each other, nor did they give the people who intended to wait on them time sufficient for that purpose—they were all gone previous to Mr. Thompson's arrival, nor could I learn that any of the people East of the river had an opportunity to see them." Bartlett, *Papers* (Mevers), p. 262. See also Whipple to Meshech Weare, June 4; and Whipple to Ebenezer Thompson, July 19, 1779.

³ Nathaniel Peabody's "intended Colleague" was Woodbury Langdon, who was suspected by Whipple of having generally conservative political views. Because Whipple was planning to return home, he was apprehensive that Langdon's presence in Philadelphia would divide the New Hampshire delegation and thus deprive the state of a voice on key issues coming before Congress. Langdon's voting record, however, did not bear out Whipple's fears. Roll call votes recorded for the period of Langdon's brief congressional career—September 3 to November 19, 1779—indicate that Langdon and Peabody voted on the same occasion 30 times. They voted together 20 times; and of the 10 differing votes only the questions of Charles Pettit's petition for relief from a New Jersey tax and Massachusetts' request to retain \$6 million due in taxes seem to have involved substantive issues. See Clifford L. Lord, ed., *The Atlas of Congressional Roll Calls for the Continental Congresses, 1777–1781* (Cooperstown, N.Y.: New York State Historical Association, 1943, items C 0450–C 0494).

John Armstrong, Sr., to Rebecca Armstrong

My Dear Love¹

Philada. 21st. June 1779

I have received your favour by Mr. John Pollock and am much Obliged by that circumstantial account of our domestick affairs which you have given me, and on the whole See that we have great cause to be thankfull. Poor Robben, many a pleasant ride he has given us—I suppose he can yet draw in the Plow or Waggon, and think you had better keep him till near the Fall. Ceasar must be careful of him. The person to whom I Spoke for the Timothy Seed, is a Mr. Walker near Mr. Linns at Bigg-Spring, three or four Quarts will I presume be sufficient & Soon enough to Sow it in September unless the keeping down of Grass & Weeds may answer better in August. I am told that Mr. Hall at the Works has been very friendly in keeping an eye to our field, for which he deserves our thanks—and also That Ceasar

has been very careful of it. I am my dear very much concerned at what you Say respecting the Harvest, and well remember I also used to feel too much anxiety about that matter, Ours is but Small, I think the Plan I proposed for Cradeling it is the best & will give you the least trouble—perhaps Mr. Alexr. Blain may be able to Spare you three or four Gallons of Whiskey at any price he has paid for it, Speak early to him. If we cou'd be so happy in Congress as to get a few principal points Settled, I shou'd please God soon return home but Such are they in their nature & so many are the interruptions that I can not possibly fix on a time, without soon returning back, which I cou'd neither well approve nor well acomplish.

I have no doubt of Johnny's² being well, tho' some of his letters may have miscarried as I recd. none from him for Some weeks. I received One letter from the Doctor³ & no more, which I inclosed to his brother, but none from Coll. Chambers, perhaps he is not yet come down—if he is at Camp I shall write to him. I cannot immagin that any mistake fell out with me in my Sisters Money, as Mr. McClane who Changed it for me of money of his neighbours which he was that hour to put into the Loan Office and my Self both counted it twice; and returned it & the Doctors both in the Same papers or Covers in which I recd. them—how much does She Say is wanting? Through Some pique or pet of South Carolina, we have yet had no account of the affair at Charles town by Express, and Genl. Lincoln is I suppose too busy to write having as we Suppose intercepted the Return of the Enemy to Georgia or inclosed them on Some Island on the Coast, but there is no doubt that the Enemy were at least repulsed in makeing their attack upon Charlestown, but with what loss we cannot yet ascertain. I inclose Mrs. Irwins letter for greater Safety as it contains some money—from her you will hear the Situation of the Enemy and of our Army on the North River. I have purchased Some Coffee & Sugar & may possibly get it up Soon. I am my dear love, with Respects to all friends Affectionately Yours.

John Armstrong

[P.S.] I hear Mr. Duffield preaches in Mr. Steels Meeting House, and that Mr. Steel is unwell, I shou'd be Obliged to Mr. Lyon for a line on these points.

RC (PPiU: Darlington Collection). Addressed: "Mrs. Rebeckah Armstrong, Carlisle."

¹ Armstrong's wife, Rebecca Lyon Armstrong.

² John Armstrong, Jr., an aide to Gen. Horatio Gates.

³ Undoubtedly Armstrong's eldest son James, a graduate of the school of medicine of the College of Philadelphia.

John Fell's Diary

[June 21–22, 1779]

Monday June 21st. Com Committee. Congress. Order of the Day on finance, long debate, and nothing done.

Tuesday June 22d. Com Committee. Congress. This wholly taken up in Reading Letters Memorials and Petitions &c. Motion for appointing a Clothier General, Mr Wickoff was nominated Per Genl Armstrong and Mr Scudder, Peter R Fell was nominated Per Mr. Duane. Deferred till Thursday. P M Marine Committee.

MS (DLC).

Daniel of St. Thomas Jenifer to Charles Carroll, Sr.

Dear Sir,

Phil. June 21st 1779.

I am obliged by your favor of the 8th. It is true, that I said, I wished Congress had determined with precision on their ultim. in February. This Sentiment might be construed to imply, that the Enemy had made proposals. It also implies, that other Powers might request our ultimatum Should a Negotiation take place in Europe; that they might know, how far it might be necessary for them to go. But I must so far explain my former Letter¹ as to assure you, that Britain has not made any direct offer, either, to Congress, or to our Ally that I know of.

I wish the offer you mention was made openly and directly; if it was, I am of Opinion it ought, & would be accepted.

The people at large, have it in their power to prevent the further Depreciation of our Money, by Lowering the prices of the necessaries of life, but I do not wish the Appreciation to be raised. The Sums Emittted are trifling, compared with the present high prices of the produce of the Earth, should these advance, God knows where we can Stop, for we must go on emitting, as long as our money will pass for any thing—Gold has fell from 25 to 15 for one within three weeks. But Goods Sell for 8000 Per Ct. advance. Surely it would be unreasonable that such enormous Profits should be made equal to Gold & Silver in the hands of Speculators, Harpies, & Scoundrels to whom the most of our misfortunes may be attributed.

The true Patriots Scheme is very concise, & would perhaps answer the End he proposes had we peace, but I fear to adopt it just now, would throw the States into such a Convulsion that everything would be at a stand. But if a person could get as much for one Dollar as he could for 20 the injury would not be great, indeed those persons who have money by them received for old Debts would Suffer, but

then, their other Debts would be made good by it and upon the whole the Public, & chief of its individuals would reap great benefit by such a measures being adopted.

I have enclosed you a State of our Emissions to this time, by which you will perceive that immagination has greatly encreased the Sum of Paper in Circulation.

I voted against requestg 45 Mills I thought 30 Mills in Add[itio]n to the 15 before requested would be as much as could be collected from the people, I know that Maryland cannot raise more than her Quota of 45 Mills in the course of the year, unless Money continues to depreciate as rapidly as it has done for some time past.

Our Commissioners abroad accuse each other and were we to believe what they say, it is high time that they were all recalled. Mr Deane seems to have done more for us at the Court of France than all of them together. But it is said (whether true or false God knows) he has taken care to be amply paid for his Services. In all Public Assemblies there will be more, or less of party. But, I think there does not appear to be so much of it in Congress as I expected. I wish your Son could have been prevailed on to go to the Court of Spain. I think he would have been the instrument of restoring peace to America. His reasons for not undertaking so hazardous an employment no doubt are weighty.

The Enemy still holds his Posts on the North River at Kings Ferry. But has not made a single incursion, perhaps Deterred by our General who has taken Post within 12 Miles of this Ferry; or it may have been prevented through fear of Desertion, which now prevails. Our Brave, Great, & Good Commander in Chief (whom God long preserve) has thanked, and discharged the Militia of the State of New York, this evinces that he is strong enough without them.

General Knox has visited our Forts on North River & Reports them to be in a good State of Defense & that the Enemy on both sides of the River he computes to be, between 6 & 7 thousand & it is his opinion that Genl Clinton will return with his Forces to New York.

If the Carolina News be true, America is triumphant. Congress has not received a scrip from that Quarter since the 5th. of May—Nor has it received the least intelligence from Europe since the last of December. It is said the Count D'staigne has left Martinique. I am (with my respectful Compliments to the Ladies & your Son), Dear Sir, your most Obedt. Servt. Daniel of St Thos Jenifer

[P.S.] No Reinforcements that I hear of, as yet arrived at New York except a few men to fill up some Regiments wch. arrived early in the Spring. Govr. Livingston Saw 100 Sail of Vessels from Trenton, but they instantly vanished.

& Wharton.² You will enforce it upon the mind of this rising patriotic Gentleman that *et esse et videri* should be the Motto adopted by Whigs, in such Times as these especially.

Govr. Clinton does not approve the Measures we have taken with Vermont.³ I think that worthy Gentleman has not the necessary Coolness in this Business. He hopes we will not proceed, as he cannot call the Assembly together. But the Delegates of that State were in Opinion with others that the Matter is in the proper Train, and therefore no order is gone out to stop the Commissioners who were on their Journey.

We had expected something very authentic, by this day's Post, from Charlestown; but we are yet to wait: the Prints of Tomorrow Morning will have some Extracts of private Letters confirming past Reports.

I inclose the only Letter which came directed to you. Genl. Whipple recd. a Letter from R.H.L.,⁴ who writes very humorously; from which I conclude that the *Weathercocks* here do not show how the Winds blow there. Was it otherwise, surely Mr. Lee would now be in the midst of a Tornado.

Slow Progress yet as to the *Banks* of both Kinds.

I will not seal till Tomorrow when perhaps I may have something to add material.

Your affectionate humble Servant,

J.L.

RC (NN: Samuel Adams Papers).

¹ Jonathan Loring Austin was seeking a settlement with Congress for carrying dispatches with the news of General Burgoyne's surrender to France. Congress agreed on a settlement of his accounts on June 26. *JCC*, 14:567, 581–82, 776. A transcript of a letter from Austin to Lovell of June 2, 1779, is in the Laurens Papers, no. 31, Schi.

² That is, Edward Bancroft, a British agent employed as a secretary by the American commissioners at Paris, and Samuel Wharton, a Philadelphia merchant currently living in Paris after spending the first two years of the war in England seeking confirmation of an extensive land grant on the Ohio River. See these *Letters*, 3:323n.9; and *DAB*.

³ Lovell is referring to views stated by Gov. George Clinton in June 7 letters to John Jay and the New York delegates. See James Duane to Clinton, June 14, 1779, note 1.

⁴ Lovell is undoubtedly referring to Richard Henry Lee's June 13, 1779, letter to William Whipple, which is extracted below. "Fiddle," a principle subject of the letter, is identified by Richard Henry as Meriwether Smith in the draft of this letter in the Lee Family Papers, ViHi, which Lee endorsed "Letter about Fiddle, alias Merryw'r Smith, to Gen. Whipple."

"I think Fiddle has played a fine tune in Dunlaps paper of May the 29th! If you wish to know what Fiddle, whether a Cremona, a Steyner, or a Base viol, or the *Head* of a Base Viol, ask our friend Ellery and he will explain the Mystery. Some people, rather than not be remarkable would be so for being supremely ridiculous. So that rather than it should not be known that Fiddle is sometimes played upon in Congress as a First Fiddle, the yeays & nays must be published in Dunlaps paper of the 29th of May, that all the world may be set to laughing—at whom—Not at Mr. Laurens. But, a jocos ad seria. Have you rescued the fishery from the paws that are used to pull the chesnuts out of the fire? It is mighty convenient, when a person does not choose to burn his own fingers, to have ready an officious hand, willing to encounter the

embers. I think that as the house near the *Capitol* is *less* than the *Capitol*, that the *Lesser* ought not to dictate to the *Larger*, and more especially as the 'Alliance not being victorious cannot give law to the common enemy.' Mr. Ellery's sagacity can help to explain all these riddles if you should find any difficulty in them yourself." Langdon-Elwyn Family Papers, NhHi.

Marine Committee to William Aylett

Sir

June 21, 1779

We have received your letter dated the 7th instant. In the Course of a week or two we shall give you Instructions respecting the Bread which you purchased for the Frigates.¹ In the mean time we request that you will inform us as to the quality of this Bread whether it is of the best Kind or not—the quantity at each of the places where it is stored and in his whose care it is. this information we shall expect by return of the Post and are Sir, Your very hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ See Marine Committee to Aylett, July 25, 1779.

Marine Committee to the Eastern Navy Board

Gentlemen

June 21. 1779

Since our last of the 7th we are favoured with yours of the 29th ultimo and 3d instant.¹ We are sorry that the endeavours used to supply your Department with flour and Iron have proved so unsuccessful. The Schooner *Harlequin* which you mention, has had the misfortune to be sunk in the Delaware near to this place, and the Captain of her informs us that it will be a month before she is raised and fit to take in. The Petition which you mention in the Postscript of your first letter was signed by the Officers of the *Warren* only and not by those of the *Queen of France* or *Ranger*. Be assured we shall pay little regard to representations of that kind, but will leave Captain Hopkins's conduct to be properly investigated by men of impartial Judgement.

We have had William & John Hackets Petition² under consideration and now desire that you will settle their Accounts for building the *Alliance*, and if it shall be found necessary to do them justice, we agree that you Allow them the sum of £2100. Lawful Money which they represent to have lost by the Contract. And should you be of opinion that that sum is inadequate we request you will report to us what farther compensation will be proper to do compleat justice to the said Builders. We enclose a Copy of a letter addressed to Capt. John Barry at Port Auprince in the Island of Hispaniola. We appre-

hend that Kerr the Person mentioned by the writer of that Letter was put in Prize Master of one of the Prizes taken by Captain Rathbourn in his last Cruize, which it seems he has carried to the West Indies and sold for his own Account. We send you this Copy in Order that you make inquiry of Capt. Rathbourne respecting this affair and that you should be acquainted with Kerrs behaviour.

We are Gentn. Your very hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The Eastern Navy Board's letters of May 29 and June 3 (which is dated June 2 in their letterbook) are in the Eastern Navy Board Letterbook, NN.

² The Hacketts' petition was referred to the committee on June 19. *JCC*, 14:744.

William Whipple to John Langdon

My Dear Sir,

Philadelphia 21st June 1779

Your favor of the 7th inst came this day to hand. I should be very sorry to hear of Capt Simpson's resignation, when I am in expectation every day of his promotion,¹ and that regulations advantageous to the Officers and seamen in the service will speedily take place.

Your letter contains a sentiment some what paradoxical especially as it is the sentiment of a Patriot. True patriotism knows no interest, in the least degree incompatible with that of the public weal. May I presume so far on your friendship as to recommend the study of Republicanism? This will have a tendency to abate your anxiety for the acquirement of wealth and prepare the mind to meet adversity with a smile. I shall take an early opportunity to make a full reply to your letter, time not permitting at present. In the mean time be assured of the real friendship and esteem, of your most obt. servt,

W.W.

[P.S.] Col Peabody arrived last evening.² Tell Mrs W. she must excuse my not writing, wanting leisure.

Tr (DLC: Peter Force Collection).

¹ When a Marine Committee recommendation to promote Lt. Thomas Simpson, commander of the Continental ship *Ranger*, came to a vote on September 17, 1779, it was rejected nine states to two. *JCC*, 15:1074–75.

² As Whipple reported this same news to Josiah Bartlett in a postscript dated June 22, he must also have added this postscript to Langdon on the 22d. See Whipple to Bartlett, June 20, 1779.

William Fleming to Thomas Jefferson

Dear Sir,

Philadelphia; 22d June 1779.

Your obliging letter, without a signature, came safe to hand. As

letters frequently miscarry between this & Virginia it was a good caution, which I shall take the liberty to follow.

That peace & the independance of the thirteen states are within our power is a point not well established;¹ but thus much I think myself at liberty to say, that Congress, long before my arrival here, were called on to declare on what terms they would consent to a peace?—and to fix their ultimatum. They have been debating the matter ever since, & have not yet come to a point, tho' I think there is now a prospect of that necessary business being shortly finished. The difficulties have mostly arisen in the East, but have been supported from the south side of Powtomack; tho' much of that support is now withdrawn. The extreme delay in this business necessarily gives great uneasiness to the French minister, but that he was about to return to his own country in disgust is not true. This climate is very unfavourable to his constitution, and he had it much at heart to leave it before the hot season came on, & now only waits the determination of Congress on this important business. He thinks there have been combinations to break the alliance, & to throw America into the arms of G. Britain, on her acknowledging our independence, in which opinion many have joined him; the ratification of the treaty, therefore, by the Virginia assembly was highly pleasing to him, as I doubt not you will see by his letter acknowledging the receipt of it.² A few members of Congress who got intimation of the ratification, expressed their dislike to the proceeding, as being against the spirit of the confederation, tho' nothing was publicly said on the subject. However, I am of opinion that the occasion warranted the measure; and I think it high time for Virginia to look to her own importance and to provide for her own security, in case of disunion.

I am pleased to hear the measures taking for putting our finances on a better footing, that being the most tender ground on which we stand. Congress are wasting much time on the subject and I am clearly of your opinion, that it is nonsensical quackery. Their resolution of the 2d of January last, calling in the two emissions, is a proof of it.³

General Sullivan has about 4000 men on his Indian expedition, of the success of which few, I believe, have very sanguine hopes, especially since the commissary of provisions laid before Congress the generals requisition for extra provisions, signed with his own hand; a copy of which I inclose for your amusement.⁴

We are informed that John Dodge is on his way to Virginia.

I will not congratulate you, but my country, on their choice of a chief magistrate. It will break in on your domestic plan and you'll find it a troublesome office during the war.

Please to present me very respectfully to Mrs. Jefferson. Farewell.

[P.S.] It has just occurred that I must liberate this letter to save the postage.

RC (DLC: Jefferson Papers). In Fleming's hand, though not signed. Jefferson, *Papers* (Boyd), 3:10–11.

¹ In his June 8 letter to Fleming, Governor Jefferson related the general view "that peace and the independence of the thirteen states are now within our power," but expressed alarm "that Congress have hesitations on the subject, and delay entering on the consideration." Such vacillation had so disturbed the French minister, it had been reported, that Gérard was returning to France, "ostensibly for better health, but in truth through disgust," which was regarded in Williamsburg as a "most dreadful calamity." Some Virginia assemblymen proposed reestablishing committees of correspondence; others felt the emergency required sending "plenipotentiary deputies" immediately to Philadelphia to reassure Gérard and "to set on foot proper measures for procuring the genuine sense of the several states. The whole however subsided on a supposition that the information might not be true, and that our delegates in Congress would think no obligations of secrecy under which they may have been laid sufficient to restrain them from informing their constituents of any proceedings which may involve the fate of their freedom and independance." See Jefferson, *Papers* (Boyd), 2:288–89. For further information on Virginia's involvement in the peace process, see Meriwether Smith to Jefferson, June 25; Fleming to Jefferson, July 13; and Smith to Jefferson, July 30.

² The assembly had unanimously approved the French treaty on June 4 and directed Jefferson "to notify the Minister of His Most Christian Majesty, resident at Philadelphia, the above ratification under the Seal of the Commonwealth." *Journals of the House of Delegates of the Commonwealth of Virginia; Begun . . . on Monday, the Third Day of May [1779]* (Richmond: Printed by Thomas S. White, 1827), pp. 32, 34. Jefferson enclosed the resolutions in his June 8 letter to Gérard who then transmitted them to Vergennes in his dispatch of June 22. See Jefferson, *Papers* (Boyd), 2:289–90; and Meng, *Gérard Despatches*, pp. 740–44. Gérard's reply of June 22, which is in Jefferson, *Papers* (Boyd), 3:11–12, was enclosed with Meriwether Smith's June 25 letter to Jefferson.

³ *JCC*, 13:20–23.

⁴ *JCC*, 14:685. John Sullivan's "requisition for extra provisions," a copy of which Fleming enclosed for Jefferson's "amusement," is not in PCC. The journals contain no further mention of the committee or its recommendations.

John Jay to John Lawrence

Sir, Philadelphia 22nd June 1779

As soon as I had the pleasure of receiving your Favor of the 14th Inst, it was communicated to Congress & referred to the Board of Treasury, to whom your former Letter had been committed.¹ No Report has yet been made on the Subject. Whatever Resolutions may be entered into relative to it shall be immediately transmitted to You.

I have the Honor to be Sir, Your most Obedt. And Humble Servant.

LB (DNA: PCC, item 14).

¹ Neither of Lawrence's letters is in the PCC, nor was receipt of them recorded in the journals. It seems probable, however, that they concerned an appeal for money to enable Lawrence, commissioner of the Continental Loan Office in Connecticut, to exchange "bills of the emissions of the 20 May, 1777, and April 11, 1778," as Congress appropriated \$543,684 for this purpose on July 17 in accordance with a recommendation of the Board of Treasury. *JCC*, 14:846; and PCC, item 136, 3:481.

John Jay to William Malcom

Sir, Philadelphia 22nd June 1779.

I have had the pleasure of receiving and communicating to Congress, your favor on the Subject of the Rank of the supernumerary Officers. It is committed to the Board of war, and I shall take the earliest opportunity of transmitting to You whatever Resolution Congress may enter into relative to it.¹

I have the honor to be, Your most Obedient, And Hble Servant.
J.J.

LB (DNA: PCC, item 14).

¹ Colonel Malcom's June 13 letter, which was read in Congress this day, is in PCC, item 78, 15:465–68. His Additional Continental Regiment had been consolidated with that of Oliver Spencer's in April, and Malcom had requested clarification of the point "whether Congress consider the Supernumerary officers retaining their Rank in the Army, & capable of taking command when upon any emergency they are in the Field—or are their Commissions revoked." For the Board of War's July 16 recommendation against Malcom's officers "retaining their rank or Command in the line," see *JCC*, 14:844. For additional information on the elimination of Malcom's regiment, see also James Duane to Washington, May 15, 1779; and Wright, *The Continental Army*, pp. 323–25.

John Jay to William Phillips

Sir, Philadelphia 22 June 1779

Your Favor of the 6th Inst was delivered to me a few days ago by Capt. Fetherstone. His dispatches were sent by Express to General Washington, whose Orders he will receive at Mount-Holly agreeable to a Resolution of Congress of which I have the honor of transmitting you the enclosed Copy.¹

I have the Honor to be Sir, Your most Obedt. & Hble Servt.

LB (DNA: PCC, item 14).

¹ Maj. Gen. William Phillips' June 6 letter to Congress requesting the exchange of Capt. William Featherstone of the Convention Army is in PCC, item 57, fols. 349–52. For Congress' June 18 resolve permitting Featherstone's transfer from Virginia to New Jersey pending the negotiation of an exchange, see *JCC*, 14:744; and Jay to Washington, June 20, 1779. For Washington's order paroling Featherstone, and some of the difficulties involved in arranging such "partial exchanges" while the larger issue of the fate of the Convention Army remained unresolved, see Washington, *Writings* (Fitzpatrick), 13:354, 15:319, 331, 16:326.

John Jay to Caesar Rodney

Sir, Philadelphia 22nd June [1779]

Herewith enclosed are sundry Papers charging Henry O Hara,

who acted as a Depy. Quarter Master Genl. in the Delaware State, with Fraud, and a Copy of an Act of Congress of the 21st Inst. requesting Your Excellency to order a Prosecution to be immediately commenced against him at the Expende of the United States.¹

I have the honor to be with great Respect, your Excellency's Most Obedt. Servant.

LB (DNA: PCC, item 14).

¹ The charges against Henry O'Hara that Delaware was requested to investigate had originally been laid before Congress on November 2, 1778, by the state's chief justice, William Killen, whose October 30 letter, "with sundry affidavits enclosed," was referred to a committee instructed "to enquire into the abuses of the quarter master general's department." *JCC*, 12:1090. Although the committee subsequently took a number of steps to improve the performance of the quartermaster department, it did not report on the charges against O'Hara until June 14, 1779, at which time Congress ordered the report recommitted and added John Dickinson to the committee. The resolve that Jay enclosed with this letter was simply an endorsement of the committee's report, which is in Dickinson's hand, recommending that the prosecution be left to Delaware. See *JCC*, 14:726, 754; and PCC, item 19, 3:363–64. For additional evidence of Rodney's and Dickinson's concern over the management of the quartermaster department, see also Rodney, *Letters* (Ryden), pp. 298–300.

Henry Laurens to Richard Henry Lee

Dear sir.

Philadelphia 22d June 1779.

Since my last of the 8th Inst. I am become debtor for your favors of the 6th & 13th.¹ I am mortified by my inability to make proper returns by the present Mail—but circumstances render it impracticable, I shall seek for a private hand, or perhaps a public Messenger in a day or two may offer, by whom I may pay my respects & be almost as early with you as this will be.

We have not yet gained an hairs breadth up the Hill of appreciation, nor shall we be able to roll that Stone without the immediate interposition of those for whom we have been long labouring in vain. I shall take the liberty of enlarging on this head in my next.

I believe as you do, referring to an intended Publication,² you may remember I intimated the apprehension while you were here & told you Whence it sprung. As to the hearing & open Door I beleive it would be a proper means had we the proper Men—but alas! One may almost *now* say with Elijah, & Lord I alone of all thy Prophets am left. If the conduct of the Man had been clear he would have demonstrated his purity long since—his publications cannot make a clean thing come forth of an unclean—Remember his own Criterion for the Character of a Public Minister—but there's the Remora to my process, Colo. Knaublauch & two bran new foreigners both recommended to me by particular friends. Dunlap's Paper will accompany this to which I beg leave to refer & to conclude by repeating

that I remain, Dear sir, With very great Esteem & affection, Your
obedient & most humble servant, Henry Laurens.

RC (PPAmP: Lee Papers).

¹ Lee's letters of June 6 and 13, which were written from "Chantilly in Virginia," are in Lee, *Letters* (Ballagh), 2:61–64, 70–72.

² In his June 13 letter to Laurens, Lee had asserted: "It has been very obvious to me for some months past that Deane and his party were planning a second publication, or why those repeated letters to Congress boldly demanding trial when he knew the public business and his faction were ready to prevent it?" *Ibid.*, p. 71.

William Shippen, Sr., to Richard Henry Lee

Dear Sir

Philadelphia June 22, 79

This day I am favored with yours of 13th Inst¹ in which I hoped to find a confirmation of our very good News from the Southward. I am pleased with the effectual measures taken by your State to raise so much by Taxation, it shows a Spirit worthy of imitation, you'll see by the inclosed Papers how the reformation Plan begun in this City before you left us is spreading through this & several other States. I hope it will produce great good. I wish I could give a good prospect of some valuable conclusion on our finances, but so long as the power of evading, perplexing & delaying the most patriotic propositions is allowed to a certain few, we shall do nothing timely that is fit & proper to be done. We have spent two finance days already without passing one resolution to purpose—& for this reason only, (if I am not too Suspicious that certain Words containing or that may be construed to contain) what may answer the designs of a particular junto cannot be carried. I find your absence does not entirely free you from a Squib now & then such as, if that Gentleman was or had been as well known in Virginia as I know him he would not have been continued a Delegate so long. By the enclosed resolutions you'll see how very little has been done, no Stop put to the Commissions of Quarter Masters & Commissarys &c than which nothing has or possibly can occasion the depreciation of our Money more rapidly, only think of a two penny Jack who never in his life was capable by any business he had been engaged in, of making a Shilling more than maintained his family & that but in a very so so manner, shall now be making 40 or 50,000 per annum & that by lowring the value of our Money & raising the prices of every article he purchases, a truth acknowledged by all & yet the mischief suffered to go on & encrease, as though some were afraid to Stop it least they themselves may be injured in their connexions. W Paca has moved several times to have a report respecting J Mitchel considered,² which he had delivered into Congress long ago & when at last it was agreed to be taken up in

order to determine upon it Mr Secretary turned over all the Papers in the box & could not find the report & so went upon other business.

The only apology I shall make for filling up my paper with Notices of Small things is that I have none great & important—but be assured upon the first hint you give me that such trifles are tiresome, I will desist until I have more interesting Matters to communicate, in the interim believe me to be with proper Salutation to your Lady & Family, Yours Sincerely,

Wm Shippen

RC (ViU: Lee Family Papers).

¹ Not found, but for Lee's correspondence with various delegates after he left Congress in May, including two other letters of June 13, to Henry Laurens and William Whipple, see Richard Henry Lee to Laurens, May 27, 1779, note 6.

² Apparently the report "respecting Col. Mitchell's obliterating and expunging certain Entries contained in one of his office Books," which is printed in *JCC*, 13:345, under the date March 20, 1779. The report was one of the products of a committee chaired by Paca that had been appointed to investigate charges lodged by the state of Pennsylvania against Benedict Arnold, who had obtained from deputy quartermaster John Mitchell the wagons that Arnold was accused of having used for his personal profit. See Daniel Roberdeau to Timothy Matlack, February 6; and William Paca to Joseph Reed, March 3, 1779, note.

John Armstrong, Sr., to John Davis

Dear Sir,¹

Philada. 23d June 1779

With many others you will no doubt be at a loss for the reason why the late engagement with the Enemy near Charlestown is not yet officially ascertained to Congress. I take it to be this, The people of South Carolina not knowing our Circumstances may possibly be somewhat piqued at Congress because we have not sent them a large detachment from our main Army, and therefore will not write until their temper come down from that undue pitch to which their mistakes have raised it. General Lincoln, nor the troops which were with him, not being in the Action, but busily employed as we presume in intercepting the Enemies return to Georgia, may not Send any Express until the event of the whole be known. The most probable account we have is that the Enemy were Surrounded in an Island not far from Charlestown but that they were repulsed in their attack upon that Town is beyond all manner of doubt, altho' the numbers they must have lost in attempting to force our trenches are not yet fully ascertained, a Short time we hope will bring us a good account of them.

You will Observe in Some late Resolve of Congress that the Characters of all the Qr. Masters & Commissaries are not held in the Same point of view, but that just & necessary distinctions are taken in order to take off that Odium that had like to have been indiscriminately thrown on the whole.² No alteration has yet taken place in the

arrangement of these two great & expensive lines, and if there Shou'd, no man must resign before the end of the Campaign at the peril of his honor & reputation. I hope the measures almost ready to be published will at least soon put a Stop to the depreciation of our money. Will my Young Lofty fetch 12 hundred pounds, they give from that to 15 hundred here for a horse not near so good—I am with Compliments to Mrs. Davis & friends at Carlisle, Your very respectful friend & humble Servt. John Armstrong

[P. S.] Mr. Blain is in health Mrs. Blain not so well as cou'd be wished—She is to go to the Salt Water Soon by advice of the Doctor.

I cou'd wish to have a purchase of as much Grass as wou'd make Two Waggon Load of Hay—which with what I expect from my Own Lot, may possibly do and my Own boys to Cut & Win it, but this I suppose is hardly to be got, So as to be of any advantage.

RC (DLC: John Davis Papers). Addressed: "Colonel John Davis near Carlisle. Favoured by Mr. John Pollock."

¹ John Davis (d. 1827) of Cumberland County, Pa., was deputy quartermaster general at Carlisle, which was also the home of the Armstrongs. See Greene, *Papers* (Showman), 2:320–21.

² Armstrong is referring to a resolution of June 7, in which Congress declared its "full confidence in the integrity and abilities of the quarter master general and commissary general . . . although there is reason to believe that abuses have been committed by inferior officers in their respective departments." *JCC*, 14:695.

Committee of Congress to Samuel Minott and Others

Gentlemen¹

Bennington June 23. 1779.

The Subscribers are here at present as Members of a Committee of Congress sent for the express Purpose of endeavouring to bring about an amicable Settlement of the Differences between the State of N. York & the Inhabitants of the New hampshire Grants who have formed themselves into a State called by them the State of Vermont.² We have understood that You & others who adhere to the State of New York have declined taking your Turn of militia Duty for the Defence of the Frontiers because the Requisition was made under the Authority of the State of Vermont, & that you have met with some Trouble on this Account. We have therefore sent this to inform You, that we hope there will be by Interposition of Congress a happy Accommodation of all Differences in a short Time; in the mean While we have obtained a Promise from Govr Chittenden that You shall not be molested till Matters are finally settled & we have engaged to write to You voluntarily & freely to raise Your full Proportion of Men whenever your Neighbours are called, and you are informed of this, either by continental Officers or the New State,

till such Time as You have special Directions from the Governor of New York, which we hope to obtain for you on our return home. This we are confident You will readily comply with as otherwise People will be tempted to impute Your Conduct to Dissaffection to the Cause of the united States. We hope you will understand that the Protection & forbearance which is promised us on your behalf is to be considered as on the Condition of your cordially complying with our Request, & in every Respect behaving quietly & orderly while the Measures for Pacification are on foot. We are, Gentlemen,

Jno Witherspoon

Saml. J. Atlee

FC (DNA: PCC, item 40). In the hand of John Witherspoon. Clinton, *Papers* (Hastings), 5:97–98. Close and signatures taken from Tr.

¹ The “gentlemen” to whom Samuel Atlee and John Witherspoon addressed this letter were men who wanted to keep the New Hampshire Grants as part of New York. Samuel Minott of Putney was a leader of this group and he served as moderator of a convention July 2–3 at Brattleborough in Cumberland County, N. Y., that authorized a long “Petition” to Congress describing their view of the situation in Vermont and requesting Continental support to remain a part of New York. PCC, item 40, 1:239–45; Clinton, *Papers* (Hastings), 5:108–12.

² Samuel Atlee and John Witherspoon had been appointed with Timothy Edwards, Oliver Ellsworth, and Jesse Root to a committee to travel to Vermont and evaluate conditions for a settlement of the conflicts in that strife-torn region. Atlee and Witherspoon went directly to Albany, N. Y., and sent an express to Edwards in Stockbridge, Mass., notifying him of their plans and requesting him to notify the other members “that the Committee might meet at Bennington.”

The full committee, however, was never able to meet. Ellsworth and Root, who were also members of the Connecticut Assembly, remained in Connecticut until June 22, four days after the assembly adjourned. When they arrived at Stockbridge, Edwards, who had resigned as a delegate to Congress on June 2, declined to serve on the committee. Ellsworth and Root, after learning from Edwards that Atlee and Witherspoon had left Albany for Bennington, headed for the latter place, but when they arrived at Bennington on June 26 they learned that their compatriots had returned to Albany just that morning. Recognizing that they could not act officially without a three-man quorum required by Congress, Ellsworth and Root dispatched an express rider to Albany, but he returned on the 29th with Atlee’s and Witherspoon’s refusal to return. Root and Ellsworth thereupon returned to Connecticut.

Atlee and Witherspoon nevertheless continued their mission, even though they lacked the required quorum. They conferred with New York leaders in Albany, met with Vermont leaders in Bennington and Shaftesbury, interviewed Gov. Thomas Chittenden at some length, and wrote this letter and others on behalf of the committee.

For the committee’s appointment, see John Jay to George Clinton, June 1; and Jay to Timothy Edwards, et al., June 2, 1779. For its subsequent activities, see Committee of Congress to Thomas Chittenden, June 27; Committee of Congress to John Jay, July 4; and Committee of Congress Report, July 13, 1779. For an analysis of the entire Vermont issue in Congress and the work of the committee at this time in New York and New England, see Winn L. Taplin, “The Vermont Problem in the Continental Congress and in Interstate Relations, 1776–1787” (Ph.D. diss., University of Michigan, 1955).

John Fell's Diary

Wednesday June 23d [1779].

Coml Committee. Congress. Sundry Letters and Reports, Read. A Memorial from the Legislature of New Jersey was read,¹ relating to the appointment of Officers Referrd to a Committee of 3, vizt Sherman, Morris and Scudder. Order of the Day on Finance. On the Question for Mr Dickinsons amendment for the Interest to be secur'd to the lender of the Present Loan and to have Retrospect to goe back to 1st March 1778, 6 Yaes, 4 Noes, 2 States divided. On the Main Question Mr Scudder call'd for the Yaes & Naes and said his Life might deppend, on his Vote being known, All Yaes except, Scudder, Duane & Paca.

MS (DLC).

¹ For this remonstrance of the New Jersey legislature, see John Jay to William Livingston, June 29, 1779, note 1.

Gouverneur Morris to Jean Holker

Sir,

Philaa. 23d June 1779.

In Consequence of your Requests of the 9th & 16th I have applied to the Commissaries who inform me that since the latter End of April last the issuing Commissary at this Post holds himself in Readiness to deliver to you 1000 Blls. of Ship Bread 600 Blls. of Beef and 300 Blls. of Pork and that there are also in his Hands 4000 Blls. of Bread ready to be delivered. That the Flour ordered from Virginia is coming on and will in their Opinion amount to 3000 Barrils and that it hath been impracticable to furnish that which was directed to be delivered here without distressing the Army.¹

The salted Provisions ordered from Virginia he hath not made Return of, I shall make a new Application to obtain that and also to cause more Flour to be purchased. At the same Time I must request that you will let me know the Quantity which you have on Hand that the Orders to Maryland for supplying you and the Army may be accomodated to the actual State of Things.² I wish it were possible for me to be particular as to the Quantities and Places where deposited but this cannot be untill the Returns of the Commissaries shall become more Accurate.

I am very Respectfully, Sir, your most obed. & humble Servant,
Gouv Morris

RC (CtY: Franklin-Holker Papers).

¹ In his letter to Morris of June 16, Holker had requested "exact returns of the Quantities of Flour, beef, Pork purchased & stored for the use of the Squadron commanded by his Excellency Count D Estaing," and he went on to insist that "all the

provisions which are to be reserved for this purpose be immediatly delivered to the Care of Mr. Robert Morris of this City, or Mr. Wm. Smith of Baltimore," his principal agents in the middle states. Holker Papers, DLC.

² In response to Morris' request, Holker replied the following day that "Thirteen or fourteen thousand Barrels of Sound Flour with the 6000 Bushels of pulse demanded or a reimplacement in flour or Biscuit, will be an ample Supply for the present Moment." On the other hand, Holker explained, "4000 out of the 5000 Barrels of Bisket which the Commissaries report having ready to be delivered, are not fit for the use of the King's Marine." Holker Papers, DLC.

John Fell's Diary

Thursday June 24th [1779].

Coml Committee. Congress. When the Letters &c were read. The order of the day for the taking up the Ultimatom for the fishery, and after a number of amendments, the Question was Put and carried in the affirmative as follows viz, Yaes 5, Noes 4. (Divided 3 of which N Jersey was one, I was no, under a full conviction, not withstanding the importance of the fishery that these United States are not equal to continue the Warr without the Assistance of Our Ally, Provided we could have an honorable Peace, without insisting on this claim Purely to serve the Eastern States). Peter Wickoff appointed Clothier General.¹

MS (DLC).

¹ Wikoff declined to accept the office. See *JCC*, 14:757, 765; and John Jay to Wikoff, July 6, 1779, note.

John Jay to William Heath

Sir, Philadelphia 24th June 1779

I have the pleasure of transmitting to You enclosed an Extract from the Minutes of Congress of the 22nd Inst. by which You will perceive that You are elected to the place of a Commissioner to the Board of War.¹

I have the Honor to be Sir, With great Respect, Your most Obedt. & Hble Servt.

LB (DNA: PCC, item 14).

¹ In his July 1 response to this letter, Heath reported that because he was "altogether ignorant of the intended duties of the commissioner to the Board of War," he wished to know "what the general duty of the commissioner is to be, where he is to reside, and whether or not, in case of my acceptance of the trust, I retain my rank in the Army." When Jay replied that he would be able to retain his Continental rank but would "be paid only as a Commissioner," Heath declined the appointment. See *JCC*, 13:430, 14:757, 806, 893; PCC, item 157, fols. 278–83; and Jay to Heath, July 8, 1779.

John Jay to Samuel H. Parsons

Sir,

Philadelphia 24th June 1779

I have now the pleasure of giving you a satisfactory answer to the Letter you favored me with relative to plundering the Inhabitants of Places in Possession of the Enemy.¹

The enclosed is a copy of an Act of Congress on that Subject which I hope will put an End to a practice no less unjust than disgraceful.²

I have the honor to be Sir, with great Respect, your most Obedt., and Humble Servant.

LB (DNA: PCC, item 14).

¹ General Parsons' May 20 letter to President Jay, which was read in Congress on May 31 and referred to the Committee on Appeals, is in PCC, item 161, fols. 335–38. *JCC*, 14:669. In it Parsons had denounced the plundering of American citizens on Long Island by citizens of New York and Connecticut operating under the umbrella of privateer commissions issued by their respective states. As the commander of Continental troops in Connecticut, Parsons had responsibility for controlling such plundering as a violation of orders issued by General Washington against seizing property within British lines, and he had intervened in a case involving a raid on Long Island by one William Smith Scudder. The captain of an armed whale boat operating under a privateer commission issued by New York, Scudder had duly libeled his prize goods before a Connecticut court of admiralty, but Parsons had ordered them seized. Although the court had found for Scudder, Parsons appealed to Congress for instructions, explaining that the practice was "contradictory to our military Orders and Regulations" and repugnant to the "Justice, Humanity and distinguish'd Virtue which ought to form so capital a part in the Character of a new and rising Empire."

² In its June 22 resolve on this issue, Congress clearly attempted to avoid a confrontation over the states' admiralty jurisdiction, for it simply recommended that the states "take the most effectual measures to prevent plundering." *JCC*, 14:758–59. The Committee on Appeals did not come to a decision on the case, but its successor, the Court of Appeals, ultimately reversed the state court's finding for Scudder on December 13, 1780, for a discussion of which see Henry J. Bourguignon, *The First Federal Court: The Federal Appellate Prize Court of the American Revolution, 1775–1787*, *Memoirs of the American Philosophical Society* 122 (1977), pp. 261–62. For General Washington's refusal to become entangled in the case, see Washington, *Writings* (Fitzpatrick), 14:21, 90, 214, 273.

Jay also enclosed copies of this resolve in brief cover letters this day to Washington and to the several states. PCC, item 14, fol. 136.

John Jay to Philip Schuyler

Sir,

Philadelphia 24th June 1779.

I have had the pleasure of receiving & communicating to Congress your Favor of the 7th Inst. Such parts of it as respected Money Matters was committed to the Treasury, & that which related to Indian Affairs was referred to the Committee on that Subject.¹

I have the honor to be with great Respect and Esteem, Your most Obedt. Servant.

LB (DNA: PCC, item 14).

¹ In his June 7 letter to Jay, Schuyler had asked permission to procure a French bill of exchange for making a remittance to a Miss Elizabeth Bradstreet in London in consideration of a legacy due her that he had been administering. The matter "related to Indian affairs" concerned the procurement of hatchets and fishhooks and the correction of a number of commissions for Indian chiefs that he had misdated. See *JCC*, 14:745; and PCC, item 153, 3:450–53, item 170, 3:89–91.

Meriwether Smith to Thomas Jefferson

Dear Sir,

Philadelphia June 24th. 1779

The enclosed Letter to Genl. Nelson is from Mr. de Francy & contains a Copy of a Memorial transmitted to the Genl. Assembly last Winter, upon the Subject of a Dispute which Mr. de Francy had with the Governor & Council concerning the Quality of some Tobo. tendered to him in payment for Goods purchased on acct. of the state by their order.¹

I have told him that I am confident your Attachment to the French Nation & the true Interests of your Country, will dispose you chearfully to give him every Satisfaction consistent with your Duty & the Honour of the State. I have only to add that Mr. de *Beaumarchais*, for whom he is Agent in these States, as well as Mr. de Francy himself, has been peculiarly unfortunate in being considered & treated as a mere Adventurer, in all his Transactions with these States. If Genl. Nelson should not be in Williamsburg on the Receipt of this Letter, you are requested to peruse that directed to him as it relates only to the Subject of the Memorial. I am, with real Regard, Dr. Sir, Your most obedt. & hble Servt.,

Meriwether Smith

RC (DLC: Jefferson Papers). Jefferson, *Papers* (Boyd), 3:14.

¹ Francy's letter to Thomas Nelson and his memorial to the Virginia assembly have not been found.

John Armstrong, Sr., to George Washington

Dear General.

Philada. 25th June 1779

I am for Some time possessed of your Excellency's favour of the 18th Ult. and perfectly convinced of the truth & importance of the contents, but have & shall punctually observe that degree of reserve, which is equally just as it can be agreeable to your wishes.¹

You are not mistaken when on a late amplification of certain powers, you immagin Congress *had an eye to something particular or out of the common road*.² The fact was this, that we were taught to believe the return of the Court DeEstaing to our Coasts before this time,

and that by the assistance of his fleet, you will not be Surprized that flattering & new manuvres Shou'd be formed in embrio, and the event of his coming be followed with hostile attacks on the Enemy at New York & Rhode Island—those Saguinary ideas so far operated on the minds of Some Gentlemen as led them to move that your Excellency shou'd be directed to recall General Sullivan &c. but these motions were So far over ruled as to leave you to the Exercise of your own judgment on the Campaign at large. But upon what grounds we were amused with the coming of the Count, and why these hopes have so nearly died away are matters that to me requires some farther explanation.

The business of Finance altho' not yet finished according to the System proposed, has nevertheless passed sundry Stages apparently proper, and from which I expect at least a Sudden period to the depreciation of our Money, indeed the mere expectations of the populace, altho' our Resolutions have not yet appeared joined to the efforts of the sundry Committees in this State have not only prevented a farther depreciation but have actually lessened the price of sundry of the more essential articles of life. Foreign affairs continue to perplex & Procrastinate—Who Shall be the great men Over the Water, and whether a Common Right in the Fishery shall like other Claims of *right & convenience* be made an Ultimatum in case Britain shou'd offer to concede our Independance—or whether the Fishery, at least for the present Shou' d be left to the effect of Our Ministers Negotiation, are Subjects of tedious & disagreeable debate. It may be feared these points are blended, the business itself, and who shall transact it—whosever wishes to be the Minister, may wish the latitude of Negotiation. Others apprehend the risque might be too great in the hands of a Minister—however this important matter may be, many things unjust & impolitick have been said & propogated upon it (I mean the Fishery), by making unnecessary Obstacles about it, giving it an undue & unnatural weight in the business of Peace, as tho' it should be the only Synequanon of Great Britain—and if left on the easy footing of Negotiation, at least Oblique insinuations have been held up to the people that we might have our Independance conceded to us whensoever we please & might have had peace before now &c. Thus has the true grounds of the debate been much Shaded by a parcel of false hypothesis & delusive Stuff. It is also true that Several Gentlemen far removed from any expectation or wish to go to Europe, think the fishery ought to be left to the best terms the minister can make about being of Opinion that it is not essential to the Well being of these States, that the Eastern States only or more principally must be gainers by it, and lastly viewing it as the only hinge upon which Peace or War must turn—in this light I confess I am neither willing nor able to conceive it, believing that the real Springs of Peace or War must arise from Sources considerably differ-

ent from that of the Fishery. The Army is also a Topick of great consideration, I mean it's Smallness & dissatisfaction—glad wou'd I have been to have had it taken up in a Series or chain long ago, but our unpardonable or at least unaccountable delays on other business has prevented that design which I'm persuaded if not early attend to must undo our cause. The business of half pay for life of which I have been fond as the best compound of justice & gratuity to our Soldiery, I find will meet with more Opposition in Congress than I had imagined: many declaim against the policy of that measure, but say they are ready to agree to something tantamount, by reducing the necessaries of life to a moderate price, and making the pay good from the begining as tho' there had been no depreciation; which of these modes Congress ought to adopt, I am at a loss to know, but wou'd gladly urge the best.

By a letter of the 6th Inst. from Captain Kearsley I'm pleased to find he is returned to the Service & gone up the Susquehanah to joine the troops with Genl. Sullivan. Kearsley I take to be one of those Officers who will do his duty from Principle, and make no doubt a line from your Excellency will at Once please & fix him.³

Our Reputed Success on the 11th of May near Charles Town becomes more & more doubtfull, and may probably turn out to be only a change of Rout or manuvre, upon wch. Polaskey has charged & somewhat harrassed their rear, yet may we have some good news from Genl. Lincoln, altho' the Enemies Possition Said to be in an Island must render his access difficult. The Enemies acquisitions of place on the North River are very interesting & must call the attention of the States to Strengthen the Army, of which I'm afraid little to purpose can be done before the Winter.

With perfect respect I have the honor to be, Your Excellencys Affectionate, humble Servt.

John Armstrong⁴

RC (DLC: Washington Papers).

¹ Washington's May 18 letter to Armstrong is in Washington, *Writings* (Fitzpatrick), 15:96–99.

² For the "late amplification" of Washington's powers discussed in this paragraph, see John Jay's third letter to Washington of May 10, 1779.

³ For Washington's discussion of the resignation of Capt. Samuel Kearsley and the impracticability of his "readmission" into the Continental Army, see *ibid.*, 14:401–2, 15:387, 417–18.

⁴ For the continuation of this letter, see Armstrong to Washington, June 29, 1779.

Committee of Congress to Jean Holker

Sir, Philaa. 25th. June 1779.

This Morning the Committee of which I am Chairman reported to Congress a Recommendation for a Permission to the Ship Defense

lying at Baltimore to sail for the Cape which Report was recommitted.¹ As Doubts have arisen relative to the Destination of this Vessel and her Cargo and also whether the same are entirely on public Account I am to request of you an exact State of that Transaction as also whether any Application hath been made upon the Subject to the Governor & Council of Maryland. This becomes the more necessary as there is Reason to suppose that his Excellency Govr. Johnson will not wink at any Collusion which those in your Employ may attempt to put upon him especially as it hath been suggested that the Vessels already sent from hence by you were partly charged with Flour or other Productions on private Account.² I do not mention this as at all influencing my Opinion or that of the Committee—I hope you will do them the Justice to beleive that they are incapable of such injurious Sentiments. Permit me to add that your speedy Answer will particularly oblige, Sir, your most obedient and humble Servant,
Gouv. Morris

RC (CtY: Franklin-Holker Papers). Written and signed by Gouverneur Morris.

¹ There is no mention of this committee recommendation in Secretary Thomson's journal this day. However, on July 6 Congress did resolve to recommend to Maryland that the *Defense* be permitted to clear Baltimore for Martinique, although the action then taken was in response to a July 5 memorial from the French minister, Gérard, rather than in response to this recommendation of Morris' committee. See John Jay to Conrad Alexandre Gérard, July 7, 1779.

² Holker addressed the allegation that his shipments to the French navy included provisions consigned on private account in a letter to Morris of June 28, a copy of which is in the Franklin-Holker Papers, CtY. In it he dealt at length with "doubts and suspicions" that had arisen in connection with both *Defense* and *Mary and Elizabeth* (which Pennsylvania delegate James Searle had identified as another specific concern) and to support his denial of such charges enclosed seven documents for Morris' examination.

The suspicion that Holker was using his position as the French agent of marine to mask trading on private account was not so easily dismissed, however, and at the very moment he was attempting to secure the release of *Defense* at Baltimore, the popular outcry against his transactions was about to erupt as a public issue of considerable embarrassment to Congress and the French minister Gérard. The precipitous rise in food prices associated with the collapse of the Continental dollar and Holker's immense purchases of flour in the middle states fueled a popular movement in Philadelphia for regulating prices and embargoing provisions that spread to several adjacent areas. The appointment of a Philadelphia committee in late May to investigate the operations of Robert Morris, a perennial target of anticommercial sentiment as well as an associate of Holker and the unpopular Silas Deane, set the stage for public scrutiny of Holker's dealings.irate Philadelphians had already identified several offenders who ignored price ceilings set by a city committee, but it was Morris' involvement in the sale of the cargo of the French polacre *Victorious* that had drawn their principal fire before one of Holker's Delaware agents, Jonathan Rumford, had been seized by a citizens committee in Wilmington with 182 barrels of flour that they shipped to the Philadelphia committee for safekeeping. Thus Holker was confronted with a display of force he could hope to overcome only with congressional assistance, and he accordingly appealed at once to Congress and to Gérard for Continental intervention. For the result of those appeals, see John Jay's letters to Conrad Alexandre Gérard, July 7, August 3 and 5, 1779.

The confrontation of the Philadelphia committee with Holker, Robert Morris, and

Gérard has been examined carefully by Stephen J. Rossworm, "Arms, Culture, and Class: The Philadelphia Militia and 'Lower Orders' in the American Revolution, 1765–1783" (Ph.D. diss., Northern Illinois University, 1979), chapter 8, especially pp. 396–400. The intellectual debate accompanying the controversy, particularly as it was played out in the Philadelphia press, has been analyzed by Douglas M. Arnold, "Political Ideology and the Internal Revolution in Pennsylvania, 1776–1790" (Ph.D. diss., Princeton University, 1976), pp. 125–44. For Robert Morris' struggle to clear himself of charges of wrongdoing at this time, see Hubertis Cummings, "Robert Morris and the Episode of the Polacre 'Victorious,'" *PMHB* 70 (July 1946): 239–57. That Holker was more heavily addicted to trading illegally on private account than even his associates suspected seems evident from the work of Abraham P. Nasatir and Gary Elwyn Monell, *French Consuls in the United States: A Calendar of Their Correspondence in the Archives Nationales* (Washington: Library of Congress, 1967), pp. 561–63; and Kathryn Sullivan, *Maryland and France, 1774–1789* (Philadelphia: University of Pennsylvania Press, 1936), pp. 81–83.

John Fell's Diary

Friday June 25th [1779]

Coml Committee. Congress. After the dispatches, the Order of the Day on finance, chiefly relating to the mode of the Certificates for the New Loan, the Treasury report to have them Paid to the holder, his Heirs, Executors and administerators to Prevent their being Negotiated, long debated, nothing done. Exceeding hott, in the Evening Thunder Lightening and hard Rain.

MS (DLC).

Marine Committee to Thomas Jefferson

Sir June 25th. 1779

We have the honor to acquaint your Excellency by direction of Congress that the Minister Plenipotentiary of France hath appointed and commissioned Monsr. De Hilaire to be Consul at the Port of Alexandria or Belhaven in your State.¹ We have the honor to be, Your Excellencys Obedt Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ Conrad Alexandre Gérard had announced the appointment of Monsieur de St. Hilaire as French-consul for Alexandria, Va., in a memorial received by Congress on June 22. See *JCC*, 14:759; and PCC, item 167, fols. 363–64.

Marine Committee to Samuel Tucker

Sir Marine Committee, Philadelphia June 25th 1779

You are hereby directed immediately to proceed in company with

the frigate Deane¹ from the Capes of Delaware into Chesapeak Bay, and on you arrival there, at Hampton, or any other way endeavour to Obtain the best intelligence if any of the enemies Ships of war or Privateers are in the Bay, and if you find there are and of such force as you are able to encounter you are to proceed up and attack them and after taking or destroying as many of the said Vessels as may be in your power—or Should there not be any british Vessels in the Bay—then without any loss of time you are to sail out of it on A Cruise in which you are to chuse such Stations as you think will be best to Accomplish the double purpose of intercepting the enemies outward bound Transports for New York from Great Britain & Ireland and the homeward bound West India Ships. We are of Opinion that between the Latitudes of 36 & 41 and 100 leagues Eastward of the Island of Bermuda will be your best Cruizing ground, but in this we do not mean to restrict you, leaving you to exercise your own judgment which probably may be asserted by information which may be obtained in your Cruise. All prizes which you make you are to send to the nearest or most convenient Ports of these states addressed to the Continental agents.

You are to continue Cruizing for the above purposes until the middle of September next or longer if your provisions and other circumstances will admit of it and afterward return to the port of Boston where you must be governed by the orders of the Navy Board of the Eastern Department. We have ordered the Continental Frigates at the Eastward to be sent out to Cruise for the same purposes you are now going on, and we think it very probable that you will fall in with them. In that case you, or they, or any of them are hereby directed to cruise in company under the command of the Senior Officer; and should you be joined by any of those frigates, and find by any intelligence you may receive of the situation of the enemies Sea force at Bermuda that it will be adviseable to make an attempt on their shipping, we recommend your undertaking it. By late Accounts from that Island the Virginia Frigate and a privateer out of London mounting 20 Nine pounders were the only vessels of war then there.

We now wish to draw your most Serious attention to the execution of the business before you—the great expence and difficulty that attends the fitting and manning of our Ships must make you and every Commander in our Service fully sensible how much they should exert themselves to employ them usefully while at Sea. This consideration we hope will have due weight in your mind and will call forth such Active & prudent behaviour as will be of essential Service to your Country, and add to your Own reputation and the honor of our flag.

We wish you health & Success, and are sir, Your very hble servants,
By order, Wm. Whipple

P. S. The Confederacy being designed for a particular Service, we have ordered her up here.² Messrs. Barons at Hampton in Chesapeake Bay will be proper persons for you to inquire at respecting the enemies Shipping.

RC (MH-H: Tucker Papers). In the hand of John Brown and signed by William Whipple.

¹ The Marine Committee wrote a nearly identical letter this day to Capt. Samuel Nicholson, commander of the Continental frigate *Deane*. Paullin, *Marine Committee Letters*, 2:89–91.

² The Marine Committee also wrote the following brief letter this day to Capt. Seth Harding, commander of the Continental frigate *Confederacy*: “The Confederacy of which you are Commander being designed for a particular service, you are hereby Ordered to proceed up Delaware Bay with her, as high as Chester where you are to Anchor and inform us of your being there.” Ibid., p. 91.

Meriwether Smith to Thomas Jefferson

Sir, Philadelphia, June 25th. 1779.

Permit me to recommend to your particular Notice & Civilities Monsr. *de Francy*,¹ who is the Agent of Monsr. *de Beaumarchais*, and honoured with his particular Esteem and Friendship. I shall be extremely deceived if you will not find him a Man of strict Honour & liberal Sentiments; disposed to render every Service to the State consistent with the Interest of his Patron & Employer; who, to facilitate the Views of some of our Countrymen, has met with unmerited Abuse & very injurious Treatment; disgraceful indeed, to the great Council of America. The Services rendered by Mr. *de Beaumarchais* to these United States, will for ever entitle him to their warmest Acknowledgments & most grateful Returns; and I rest assured that you will never be backward in your Endeavours to restore them to the good Opinion & Friendship of an able & most zealous Advocate for their Prosperity & Happiness.

I am requested by my Colleagues to transmit to you the Answer of the Minister Plenipotentiary of France to your Letter inclosing the Resolves of the Genl. Assembly of Virginia, ratifying the Treaties of Alliance & Commerce, entered into with that Court, which you will accordingly receive in the enclosed Letter.² I shall consider these Resolves of the Genl. Assembly as a Testimony of their Approbation of my Conduct, in opposing all those Measures which I conceived were calculated to destroy the Alliance; and altho' they are made very seasonably, &, I doubt not, will have a very good Effect, I cannot avoid telling you that I think it is necessary to be attentive to the Dispositions of the *People* & to observe whether their Conduct be conformable to the Spirit of those Resolutions: For, be assured, the M——r of F——e fears much more the Consequences of Seduction, than the Success of B——h Arms in America. The Establishing

Committees throughout these States is by no Means considered in a favourable Point of View. It carries along with it the Appearance of a Design to place the Government again in the Hands of the People the better to conduct them to some favourable Object. I shall only remark, upon this Occasion, that *Committees* were formed for bringing about the Independence of these States, and may be very instrumental in establishing an *Alliance* with Britain. If I may be permitted to reason from the *Effect* of their Measures *here*, I will not hesitate to declare that the Object they have in View is not that which is assigned for the *Cause*.

I am not informed whether I am continued in the Delegation for the ensuing Year.³ If I am, there are some Matters of Importance which I wish to see finally settled in Congress, before I return to Virginia; when they are concluded, the Situation of my Family & private Affairs will demand my particular Attention. Yet I would not wish to withdraw myself intirely from the Service of my Country in these Times, as I flatter myself I can in some other Respects render it essential Services. With this Persuasion I am induced both by Duty & Inclination, to acquaint you that I will chearfully undertake any Negociations which the Exigency of the States may make it necessary for you to attempt in Europe. I am, Sir, with much Esteem, Your most obedient, & humble Servant,

Meriwether Smith

P.S. Pray will you be so obliging to give me your Sentiments respecting the Currency of these States, & your Opinion of the proper Methods of redemption? Whether you approve of Such Plans as are founded upon the Principle contain'd in the inclosed publication,⁴ or whether Taxation alone is the simple or honest & radical Cure for the Depreciation, and the best Means of Redemption?

RC (DLC: Jefferson Papers). Jefferson, *Papers* (Boyd), 3:15–17.

¹ For Smith's letter on the subject of a memorial from de Franc y, see Smith to Jefferson, June 24, 1779.

² See William Fleming to Jefferson, June 22, 1779, note 2.

³ See Smith to Jefferson, July 6, 1779, note 2.

⁴ Not found or identified.

John Fell's Diary

Saturday June 26 [1779].

Coml Committee. Congress. This day spent in Reading Letters, Petitions, Memorials & Reports from the Treasury, Board and Board of Warr. &c.¹

MS (DLC).

¹ This day another important matter was also temporarily settled when the Committee on Appeals declined to render a decision in the case of the *Lusanna* (*Doane v.*

Penhallow) until the government of New Hampshire revised its admiralty laws to conform to the congressional resolutions of November 25, 1775, and March 6, 1779. Committee on Appeals statement, June 26, 1779, in case file no. 30, RG 267, DNA. Although the committee asserted Congress' jurisdiction in the case, it clearly wanted to avoid another clash between Continental and state authority such as was at issue in the yet unresolved case of the *Active*. The *Lusanna* case, like the *Active*, was not settled until the U.S. Supreme Court denied the state's jurisdiction in 1795, but the case was the subject of a Court of Appeals hearing in 1783 and a congressional hearing in 1784. For additional information on this case, see the papers used in the 1784 hearing on its appeal in PCC, item 44, fols. 186–324; and Henry J. Bourguignon, *The First Federal Court: The Federal Appellate Prize Court of the American Revolution, 1775–1787*, *Memoirs of the American Philosophical Society* 122 (1977) pp. 307–17.

John Jay to Joseph Reed

Sir, Philadelphia, 26 June, 1779.¹
 Recollecting that the papers in the Case of M'Callaster with a copy of the Resolution of Congress on that subject had not been delivered to me, I sent to the Secretarys Office for them, and received for answer that one of the Clerks had contrary to the standing order of the Secretary, sent them to your Excellency. I mention this circumstance to account for your not having received them in the usual way.² And have the honor to be, with great Respect, Your Excellencies most obedient Servant,
 John Jay.

Reprinted from *Pa. Archives*, 1st ser. 7:513.

¹ This letter was entered in Jay's presidential letterbook by Henry Brockholst Livingston under the date July 5, 1779. PCC, item 14, fol. 142.

² The Pennsylvania Council had recently suspended John McAlester, deputy commissary of issues at York, pursuant to a resolve of Congress of February 9, 1778, authorizing states to take action against Continental officers in cases of misbehavior or neglect of duty. Informed of this in a letter from Joseph Reed of June 21, Congress immediately voted an expression of its thanks to the state and resolved that expenses incurred in the prosecution of McAlester [often designated McCallister] would be borne by the United States. See *JCC*, 14:755-56; PCC, item 69, 2:73–76; and *Pa. Council Minutes*, 12:27, 31, 41.

For McAlester's May 30, 1780, memorial to Congress announcing his recent acquittal in a Pennsylvania court of the charges that had been lodged against him and requesting that this fact be published in the journals of Congress, see PCC, item 41, 6:179–84; and *JCC*, 17:471.

Board of Treasury to William Phillips

Sir, Treasury Board, Philadelphia June 28th. 1779
 A Committee of Congress have examined the objections offered by you against the Commissary's Accounts for supplying the Troops of the Convention in the months of March, April, May, June, July and August 1778. Their report with the several accounts and the

correspondence between Major General Heath and yourself are referred to our Board with power to take effectual means for closing the Accounts, and obtaining payment.¹

The Board have accordingly considered the Accounts, objections, and reports of the Committee of Congress, and are fully satisfied that the several articles are just, and ought to be paid. We have therefore authorised Mr. Milligan a Commissioner of accounts at the Treasury, to call upon you for payment.² When you consider the inconveniencies Congress have suffered by being deprived of so large a sum as Eighty-five thousand, five hundred and seventy eight pounds $\frac{4}{8}$ Stg. ever since the month of August last, besides the debt which has since accrued for supplies to your Troops: when you further observe that we are obliged to provide for the support of the American prisoners of War principally in specie; we are persuaded you will put it in Mr. Milligan's power to execute the Trust reposed in him with dispatch, and that he will be furnished with the money without further objections or delay.

Mr. Milligan is fully authorised to settle all further accounts of supplies for the Convention Troops, and to confer with you on the subject.³ I have the honor to be, &c,

(Signed) Jas. Duane.

In the name of the Board of Treasury

Tr (PRO: P.R.O. 30/55, 12). Addressed: "Major General Phillips."

¹ See *JCC*, 14:699. Gen. William Heath had alerted Congress to the problem of the Convention Army accounts in September 10 and 21, 1778, letters which were referred to committees on September 21 and 30, respectively. *JCC*, 12:936, 970. Apparently no action was taken until June 7, 1779, when Heath's correspondence with Phillips was referred to the Treasury Board for settlement of the issue. Heath's letters to Congress are not in PCC, but for his correspondence with General Phillips, see PCC, item 57, fols. 287-317, and item 152, 6:261-62.

² See *JCC*, 14:775.

³ For Phillips' correspondence with James Milligan on the settlement of these accounts, see Great Britain, Historical Manuscripts Commission, *Report on American Manuscripts in the Royal Institution of Great Britain*, 4 vols. (1904-9; reprint ed., Boston: Gregg Press, 1972), 1:475-84.

Committee of Congress to Thomas Chittenden

Sir,

Albany June 28th. 1779.

We have recd your Letter by Mr. Sessions, and are exceedingly concerned, at this last Disturbance that has happened as it may be a means of defeating all our Endeavours for promoting Peace;¹ We are not willing however to consider it as a Breach of the Agreement you made with us because it is probable it was not known, or distinctly understood, but was surprised to find that though Sessions was to have carried a Copy of both Letters yet he had only ours and

not yours. We shall therefore only signify that in our Opinion the Agreement will be wholly frustrated unless you not only put a Stop to any further Proceedings of this kind, but cause Restitution be made to the People whose Cattle have been seized in this last Instance.² You must be sensible that unless this is done it would be absurd to desire them to send their Levies for the want of which they have been fined and are supposed with time to have made Compensation. We Trust you will manage this matter with all possible Prudence, and may expect to hear from us again after we have seen Govr Clinton. We are &c.

J. W.

S. J. A.

[P. S.] What surprises us most is that these last measures were pursuing whilst Tucker was at Bennington, when we imagined all further Proceedings were to be suspended until his return.

FC (DNA: PCC, item 40). In the hand of Samuel Atlee.

¹ Samuel Atlee and John Witherspoon wrote this letter to Vermont governor Chittenden in response to information provided by residents of New York's Cumberland County who were resisting the pretensions of "the New State officers" who had been seizing their property. As Micah Townsend explained in his July 5 letter to George Clinton: "Mr. Session was prevailed on to return immediately, with another Gentleman, to detain Messrs. Witherspoon & Atlee until the Com'e of Cumberland could assemble and send some Persons to wait upon them with an answer to their Letter; or if that could not be done to give them the reasons why the Subjects of New York could not comply with their Recommendation. Mr. Session carried Evidence with him of Vermont officers taking several Cattle which he did not before know of. This produced the Letter to Gov'r Chittenden (a Copy of which I inclose)." Clinton, *Papers* (Hastings), 5:108. For the committee's explanation to Congress of the steps they took to confer with persons involved in this disturbance, see Committee of Congress Report, July 13, 1779.

² This warning from the committee of Congress may have produced a salutary effect, because Townsend reported in a postscript to his July 5 letter to Clinton: "Since writing the foregoing have learned that the New State Officers have returned some Cattle they had taken from our People in Putney & not sold. Perhaps this may be in Consequence of Dr. Witherspoon's Letter." Clinton, *Papers* (Hastings), 5:112.

John Fell's Diary

Monday June 28th [1779].

Commercial Committee. Congress. This day spent in Reading Letters, Reports from Committees &c. President Sick.

MS (DLC).

John Armstrong, Sr., to George Washington

29th. [June 1779]

I have just now Seen an intelligent Young Gentleman who left Dublin on the first of March last—who informs us that only about 500 Troops were Sent he thinks to Jamaica—that Britain cannot Soon Send any considerable force to America, as no preparation of that Sort was made nor on foot when he left Ireland, but the prevailing Opinion rather that no more troops wou'd be Sent to the Continent of America this Season. That a great Majority of the Irish were in love with the American Cause & much opposed to the late Speeches of the King—That the publick Orders of Fasts & Prayers for his Majesties Arms Were highly contemned by the first Gentlemen in Town & Country as farcical & hypocritical.

[P. S.] Doctor Armstrong Some how wedded to Berkley County, and in need of three or four hundred Acres of land which I shou'd think enough for his use, appears to be unable to procure it in the circle of his business & acquaintance, If you have any in that neighbourhood even of moderate quallity if it has water & Grass that might be convenient to him, I shou'd be greatly obliged to your Excellency either for an Exchange of Land near Bedford, or to pay yours in Cash at your Own price as Soon as the value of Our money can be better ascertained.¹

J. A.

RC (DLC: Washington Papers). A continuation of Armstrong to Washington, June 25, 1779.

¹ For Washington's August 10 reply to Armstrong, reporting that he had no unobligated land available in Berkeley County, Va., to exchange with Armstrong's son James, see Washington, *Writings* (Fitzpatrick), 16:69–70.

Delaware Delegates to Caesar Rodney

Sir,

Philadelphia. June 29th. 1779.

Mrs. Prudence Moore, the wife of Captain James Moore of the Delaware Battalion, has requested of us to procure for her a permit to go into New-York, in order to visit her husband and transact some business of some importance to them. Capt'n. Moore has been a prisoner upwards of two years,¹ and his effects which were left with his wife have been taken away by the British plunderers, when in Philadelphia, particularly a negro boy, two feather-beds &c. which she hopes to recover by her going to New-York, tho' her principal design is to see her husband, obtain a Lre. of Attorney from him, and to settle a plan for her future support, she being now in a bad state of health. She has applied to the Supreme Executive Council of this State for their Licence, and has been refused for reasons of a

general nature, and particularly because the application should be to the Delaware State, of which her husband is a Citizen & Soldier.

As we cannot foresee the least probable injury that can happen by her obtaining this favor, we must in her behalf intercede with you to grant it, and, as she cannot afford the expence of an Express, that you would be so good as to inclose it for one of us, & forward it by the very first opportunity. We are, with due regard, Your Excellency's, most obedient humble servants,

John Dickinson

Thos. M:Kean

RC (PHC: Roberts Collection). Written by McKean and signed by McKean and Dickinson.

¹ James Moore, a prisoner on Long Island, was eventually exchanged on December 7, 1780. See Rodney, *Letters* (Ryden), pp. 298, 388; and Heitman, *Historical Register*, p. 298.

John Fell's Diary

June 29th [1779].

Com Committee. Congress. Severall dispatches and Reports from Committes, a Question Put by the Secreatary whether Coll Ethan Allen should be supply'd with Copys of Papers relating to him &c, debate on the Propriety of granting them, (agreed he should).¹ PM Marine committee, Orderd a Brig to be Built.

MS (DLC).

¹ For a discussion of Allen's business before Congress, see Nathaniel Peabody to Josiah Bartlett, July 13, 1779, note 3.

John Jay to Certain States

Sir, Philadelphia 29th June 1779.

Your Excellency will receive herewith enclosed, a Copy of an Extract of a Letter from General Washington to Congress of the 11th Inst. & of an Act of Congress, which it gave rise to, of the 28th.¹ By the latter you will perceive that Congress have again thought it requisite to call on the several States to fill up their Battalions by the most speedy & vigourous Efforts.

The necessity of this measure is too evident to need any Arguments to press Your Excellency's attention to an Object of such moment to the Freedom & Independence of these States.

Your Excellency will perceive the expediency of keeping the Letter from the General as secret as the nature of the case will admit.

I have the honor to be, with great Respect, Your Excellency's Most Obedient Servant,

J. J.

LB (DNA: PCC, item 14). Addressed: "To His Excellency Meshech Weare Esqr. The same verbatim to the executive authorities of all the States except New Jersey & Pennsylvania."

¹ Washington's letter of June 11, which was read in Congress on June 16 and referred to a committee consisting of John Armstrong, Elbridge Gerry, and Henry Laurens, is in PCC, item 152, 7:415–18, and Washington, *Writings* (Fitzpatrick), 15:261–62. For the report of the committee to which it was referred and the June 28 resolve that Congress adopted in consequence of it, see *JCC*, 14:739–40, 780.

John Jay to William Livingston

Sir,

Philadelphia 29th June 1779.

I have the honor of transmitting to your Excellency Copies of two Acts of Congress of the 28th Inst.—The One directs in what manner to fill the vacancies which may happen in any of the Regiments raised by the Respective States for the Continental Army¹—The other was entered into in consequence of a Letter Congress received from General Washington of the 11th Inst. (Copy of an Extract of which is also enclosed) and earnestly recommends to the several States to fill up their respective Battalions by the most speedy & vigorous measures agreeable to a former Resolution on this Subject.² The obvious & absolute necessity of this measures prevents my adding any persuasions to press your Excellency's Attention to an Object so essential to the Freedom, & Independence of America.

I have the Honor to be, with great Respect, Your Excellency's Most Obedt. Servant,

J. J.

LB (DNA: PCC, item 14).

¹ This resolve was adopted in response to a June 12 "remonstrance" from the New Jersey legislature submitted to protest recent infringements of the state's authority to fill vacancies in the New Jersey Line. The states had long exercised the right of appointing officers to vacancies in the Continental Army originally embodied in a congressional resolve of September 16, 1776—yet they had recently been ignored in the reorganization of a number of Continental battalions and New Jersey had not even been formally notified of the suspension of a number of her officers who had been declared supernumerary. That Congress had delegated authority to make such "arrangements" to a committee and the Board of War was a matter of additional concern, and New Jersey therefore requested that Congress "interpose" its authority to prevent further contraventions of the rights of the state.

New Jersey's petition had been read in Congress on June 23 and referred to a committee consisting of Gouverneur Morris, Nathaniel Scudder, and Roger Sherman, which presented a report on June 28 that was promptly adopted. Congress' resolve on the subject was decidedly conciliatory and obviously designed to smooth the state's ruffled feathers. See *JCC*, 14:759, 778–79; and PCC, item 68, fols. 455–58.

² See the preceding entry.

John Jay to Joseph Reed

Sir, Philadelphia 29th June 1779.

I have the Honor of transmitting to your Excellency herewith enclosed, Copies of two Acts of Congress of the 28th Inst. The One was entered into in consequence of a Letter received by Congress from General Washington of the 11th Inst, (Copy of an Extract of which is also enclosed) and earnestly recommends to the several States to fill up their respective Battalions, by the most speedy and vigorous Efforts agreeable to a former Resolution on this subject.¹ The Expediency of this measure is so obvious as to preclude the necessity of any Persuasions on my part to Urge your Excellency's Attention to an Object of the first moment to the Freedom & Independence of these States.

The other Resolve directs a Paper from Mr. Holker communicated to Congress by the Minister of France respecting Francis Fleury carried by force on board the armed Ship General Greene to be transmitted to your Excellency, & the Supreme Executive Council of Pennsylvania, which paper is accordingly herewith transmitted.²

I have the Honor to be with great Respect Your Excellency's most Obedient Servant.

LB (DNA: PCC, item 14).

¹ See Jay to Certain States, this date.

² The case of François Fleury had been submitted to Congress on June 22 by Conrad Alexandre Gérard, who in a letter of June 21 enclosed a representation on the subject by the French consul Jean Holker. Fleury, a hatter from Dijon (sometimes confused with Lt. Col. François-Louis Teissèdre de Fleury), had been seized in Philadelphia on May 16, 1779, and pressed on board the Pennsylvania ship *General Greene*, but he had escaped on June 18 and immediately sought Holker's protection. Upon the reading of Gérard's appeal, Congress referred the case to the Marine Committee, which recommended on June 28 that the matter be submitted to Pennsylvania "that justice may be done." See *JCC*, 14:759, 778; PCC, item 78, 9:261, item 94, fols. 279–82.

For Pennsylvania's conciliatory response to the complaints of Holker and Gérard, see *Pa. Archives*, 1st ser. 7:531–33; and PCC, item 69, 2:81–84. The desperate tactics employed to man the *General Greene* at this time and the outcry that they elicited are discussed in John W. Jackson, *The Pennsylvania Navy, 1775–1781* (New Brunswick, N.J.: Rutgers University Press, 1974). pp. 311–15.

Fleury's case underscored the fact that no consular convention had yet been negotiated between the United States and France, which led Gérard on June 21 to submit a second memorial to Congress on that very subject. See Massachusetts Delegates to the Massachusetts Council, April 1, 1779, note 2; and PCC, item 94, fols. 263–77, where a translation by James Lovell is located as well as a plan proposed by Gérard to rectify "the inconveniences of the present uncertainty," which he hoped Congress would recommend "to the legislatures of the several states." Lovell's translation of Gérard's memorial is in Wharton, *Diplomatic Correspondence*, 3:228–29.

Henry Laurens to Horatio Gates

Dear sir,

Philadelphia 29th June 1779.

The revival of a correspondence with General Gates a Gentleman for whom I have long borne an affectionate regard affords me a singular pleasure, I am convinced of this fact from my feelings at the unfolding your favor of the 22d. Inst. I shall endeavor on my part to merit a continuance of your attention.

The gloomy prospect of affairs in my native Country which had been held out some six weeks ago & the late flattering accounts from that quarter, have undoubtedly had their proper effects upon my mind, but not in the extreme in either case—when it was supposed that So. Carolina would be, from a want of proper & timely aid, conquered by the Enemy. I lamented the distressful state to which Women & Children would be reduced, but I felt no pain for the supposed loss of my own Estate. I knew that Man might be happy if he pleased without riches, & hope of a recovery buoy'd me on the surface of a well tempered resignation. Admitting the *present* intelligence to be true, that we have routed & completely conquered the Enemy, I view it as a second Saratoga event, but I must prepare to receive impressions which will certainly be made by a detail of the loss of dear friends & fellow Citizens whose lives have been staked against the breath of brothels, lanes & alleys, & I must expect, seeing the thirteen United States cannot or will not repair the damages sustained in that *one*, to see a more formidable & better conducted attack upon it, made in October or November next.

Rivington informs his credulous readers, that So. Carolina is wholly subdued, & I dare not positively contradict him, because I have no clear proofs for confronting his lies, had even Charles Town been conquered we should before this day, have seen fifty living witnesses of the fact; at least that number of Itenerant Jews, Turks & Infidels, who have been compeled to remain in Garrison, would have fled helter skelter to Philadelphia as an asylum—why we have not circumstantial information is easily accounted for, General Lincoln had a great work to do & he could not with propriety speak until it was done. I was the only Man in Congress who had not given up all belief of the conquest at Saratoga when the Conquerors regular advices arrived at York Town—the only information we have received directly from the capital of So Carolina is under the hand of Doctor Ramsay of the 18th May in a Letter to Mr. Peale, a Copy of which will be found within¹—had this been brought to me ten minutes ago, it would have saved you the trouble of reading a page & half.

I have with great attention perused the papers which you referred to & I find to my great mortification that I was too well warranted in saying to Governor Rutledge a few days ago, “the tottering state of our Army.” I have long seen & often said, the States are asleep &

nothing will reanimate them but a convulsion. There are great faults elsewhere, but that dog Rivington may again catch my Letter & manufacture from it, one, suitable to his own palate. Besides, you know all.

I believe my Dear Sir, you must be content with a paper medal & a consciousness of having merited one of a better quality until Gold shall become more plenty, & yet the whole would be a mere trifle; heedlessness & want of reflection are the causes of many good & necessary businesses lying a sleep.

When I write to Colo. Laurens, he shall be informed of your very kind remembrance, poor fellow he received a bullet through his right arm at the head of 200 Horse, took his sword into the left hand, kept 400 of the Enemy at Bay, killed their Major Commandant, two Captains & 6 or 7 Men, & secured his retreat with the loss of two Men killed, himself & three or 4 more wounded—this relation I received from a sensible french Officer who left Charles Town the 8th May. Mr. Laurens was then abroad on Horse back.

Accept Dear sir my best wishes & the repeated assurance of being with very great Esteem & Respect. Your most obedt & most humble Servt.
Henry Laurens.

RC (NHi: Gates Papers).

¹ This copy, in the hand of Laurens' secretary Moses Young, is in the Gates Papers, NHi. It is endorsed by Laurens: "by Daniel Ramsay, a Gentleman of good Credit & establishment in So Carolina. In another Letter Mr. Ramsay writes 'all our Rich Southern Planters are ruined' meaning probably the destruction by fire of Houses & Barns & loss of Negroes." The letter is printed—recipient unidentified—in David Ramsay, *Selections from His Writings*, ed. Robert L. Brunhouse, Transactions of the American Philosophical Society, new ser., vol. 55, pt. 4, (1965), p. 59. There is apparently no significance in the fact that Laurens wrote "Daniel" in identifying Dr. David Ramsay.

James Lovell to Horatio Gates

Dear General

29th of June 1779

I cannot more than acknowledge the Receipt of your Fav'r. of the 21st and promise attention to yr Recommendations. The Dispatches referred to came duely and are referred to the Board of War.¹ I sent them to Mr. Laurens,² who was ill at home. I was not in Congress at the Reading but will seek them at the Board of War.

Adieu, Yr. devoted Friend,

James Lovell

RC (NHi: Gates Papers).

¹ General Gates' June 21 letter to Lovell has not been found, but his June 21 letter to John Jay, with enclosures, which was read in Congress on June 28 and referred to the Board of War, is in PCC, item 154, 2:77–78. *JCC*, 14:778.

² See the preceding letter.

Maryland Delegates to Thomas Johnson

Sir,

Philadela June 29th. 1779.

Your Excellency's Letters of the 18th and one from Capt. Nicholson we have had the Honor of receiving.¹ The Circumstances of Capt. Nicholson's Captivity was not new to us, but the answer from the Marine Comtee. as represented by Capt. Nicholson is altogether so. As the Members of this Comtee. and every other indeed, are frequently changing, it is impossible to know with certainty what *verbal* answer was given to Capt. Nicholson, by the Marine Comtee. on the report of the Navy Board; but from the Minutes of the Comtee.² we are inclined to think he is mistaken in the representations he has made to you. What an individual of the Comtee. uninformed upon the subject might have said to the Captain is impossible to ascertain; but the Comtee. as a Comtee. could not give him the answer which he says they did; for no third Witness is requisite by the established mode of trial on a Court of inquiry, and therefore it is unreasonable to suppose the Comtee. could inform the Capt. that it was requisite. There must therefore be some mistake in this Matter which you will readily perceive by reading the enclosed resolves of the Comtee. in which they approve of the report of the Navy Board and speake of him as a spirited and good officer. We are not unacquainted with the Merit of this officer, and as soon as a Ship offers we shall use our endeavours to provide for him, but at present we have a greater Number of Cpts. than Ships, and of Course it is out of the power of Congress or the Marine Comtee. to employ the whole of them.

Your Letter respecting the powder and Canon we have laid before the Board of War.³ They had a few Days before the receipt of it sent a person for both these Articles—He must have been with you before this Time. If he has not, we request you would not dispose of the powder as it is much wanted by the continent.

Congress has had no Confirmation of the various reports respecting our Southern Success. In a letter from Charles Town from a Gentleman of rank and abilities, as late as the 19th of May, no mention is made of any action. The Enemy did no more than appear before the Town and return again. They are at present in the Neighbourhood of Charles Town & the New-York paper says in possession of John & James Islands.

We are Sir with the highest respect and Esteem your Excellencys obdt. & hble. Servts.

J. Henry

Daniel of St. Thos Jenifer

RC (MdAA: Red Books). Written by Henry and signed by Henry and Jenifer.

¹ Only the Maryland Council's June 18 letter to the Maryland delegates, which is in *Md. Archives*, 21:459, has been located.

² The following "Extract from the Minutes" of the Marine Committee, dated Novem-

ber 13, 1778, and certified by the committee's secretary John Brown, was enclosed with this letter.

"The Navy Board of the middle District laid before the committee the proceedings of a Court of Inquiry held, relative to the loss of the Contiental Sloop Hornet, John Nicholson Esquire Commander, Wherein the Court are of Opinion that the loss of the Hornet was not occasioned by any Neglect or want of Spirit in Capt. Nicholson but in consequence of his being attacked by a force greatly Superior to his own.

"The Committee having read and duely considered the proceedings of the Said Court concur in Opinion, that the loss of the Hornet, was occasioned by her being Attacked by A Superior force—and that Captain Nicholson behaved as a spirited good officer."

³ See the Maryland delegates' letters to Johnson of May 11 and 18, 1779.

Rhode Island Delegates to William Greene

Sir, Philadelphia, June 29th, 1779.

We had the Pleasure of your Excellencys of the 21st Instant by yesterdays Post.¹ We have not failed in the most pressing Manner to urge for a Determination upon Our Application; but the Flood of Business at the Treasury Board has hitherto delayed a Report. We expect one in, to Day; and shall avail Ourselves of the first Opportunity to obtain a Determination of Congress thereon. Mr. Ellery has waited some time in Hopes of the Business being concluded;² he will wait a few Days longer in hopes of carrying a Sum of Money with Him: But the very great Expence the State are at in the Support of their Delegates he apprehends will not justify his tarrying much longer was the Necessity of his being at Home and the Circumstances of his Family less pressing for his Return.

We could have wished Our late repeated and Seemingly well founded Accounts from Charlestown So. Carolina had been better grounded. However by private Letter from thence dated the 19th of May We are informed the Enemy had approached the Town & demanded it,³ but being absolutely refused the Enemy had retired; But an Engagement was daily expected between them & Genl Lincoln who was Superior in Force to the Enemy & very near them. The Maryland Paper says that by a Contl. Captn. they are informed that on the 29th of May an Engagement had taken Place between Genl. Lincoln and Gen. Provost at Black Swamp when the British were totally defeated. Having been so much deceived heretofore we are almost affraid to give Credit to this Account, but wait with Impatience for Authentick Accounts from that Department.

Reports from the West Indies & Europe are very favourable. We wait however for Confirmations, And in the mean Time remain Your, Excellency's most Obedient and very Humble Servants,

William Ellery

Hy. Marchant

RC (R-Ar: Letters to Governors). Written by Marchant and signed by Marchant and Ellery.

¹ Governor Greene's June 21 letter to the Rhode Island delegates is in William R. Staples, *Rhode Island in the Continental Congress, 1765-1790* (Providence: Providence Press Co., 1870), pp. 242-43.

² For the successful conclusion of "the Business," see the following entry.

³ Undoubtedly a reference to the May 19 letter received by William Henry Drayton mentioned in the preceding entry and in Daniel of St. Thomas Jenifer to Thomas Johnson, June 30, 1779.

Rhode Island Delegates to William Greene

Sir, Philadelphia June 29th 1779

Since Our former Letter of this Day, somewhat beyond Our Expectations, Congress have Determined upon the Report of the Treasury upon our Application for Money; and have ordered Three hundred Thousand Dollars to be advanced the Delegates of the State of Rhode-Island upon Their Application, the State to be Accountable.¹ However great and pressing Our Wants may be this Grant is as large as could be expected considering the pressing Demand upon the Contl. Treasury And the Determination of Congress if possible to stop further Emissions.

The Allowance for the Black Regiment raised by our State is not yet adjusted.² Nor have we greatly urged it at present—As the States at the Southward have not as yet complied with the Recommendation of Congress in Raising Regiments of Blacks. It will be well that we should be furnished with the Amount of what that Regiment actually cost the State, that if we should not be able to obtain the Sum lately allowed by Congress for raising like Regiments to the Southward, we may at least obtain the Sum that Regiment in Fact cost the State.

The Abstract of the Account, first put forward & lodged in the Treasury of the State agt. the United States has been mislaid. We should be glad Mr. Mumford might be instructed to make a Copy; it being but a few Sheets, & send it forward as soon as may be.

As Mr. Ellery proposes to set out in a few Days he will be able to explain more fully the Reasons why we could not at this Time obtain a further Grant. Perhaps at some, not distant, Period, if the Taxes should come in with Spirit and it would be agreeable to the State to take an Order on the Receiver, it may be obtained least for near the Ballance of our Account. We are Yr. Excellency's most obedt. humble serts.

Hy. Marchant

William Ellery

RC (R-Ar: Letters to Governors). Written by Marchant and signed by Marchant and Ellery.

¹ See *JCC*, 14:781-82.

² See John Collins to William Greene, March 30, 1779, note 2.

James Duane to George Clinton

Dear Sir

Philad. 30th June 1779

I had the Honour of addressing your Excellency very lately on the prospect of a Pacification with the Six nations.¹ The Success of Col. Clarke of which you have seen the printed Account, and the defeat and Capture of Lieut Governour Hamilton² renders that Event still more probable; while the present vigorous Operations against the Senecas and Cayugaes will with God's blessing reduce it to Certainty. In this important Transaction there is no State so highly interested as that over which your Excellency presides. It is very near my Heart that we may be prepar'd to receive and improve it's Advantages. Stranger as I am, from an almost perpetual Exile, to the policy and Measures our State is pursuing, it is with pleasure I obey your Command in communicating my Sentiments on such subjects as are particularly interesting to my Fellow Citizens.

I have observed a want of attention to our Indian Affairs in our Legislature who seem totally to have leand on the Continent for every provision; not appointing A State Commissioner Agent or even an Interpreter to attend to our own immediate Interest with Nations who reside within our Jurisdiction, and upon whose Conduct our Happiness eminently depends. This is not the Case in the Southern States. Nor woud it be prudent. Consider Sir that if an Accident shoud happen to Deane the Agent for the Contl Commissioners We shoud not have a Person in our State competent to the Business of conducting a Treaty; & for him we are indebted to Connecticut & hold his services by no particular Attachment. With respect to Commissioners Accident has given some Security, three of the five being Citizens of our State³ who while they pay a faithful Regard to their general Trust have an opportunity of securing the just Rights of the State. If it shoud on this Account be thought unnecessary to appoint State Commissioners, at least let our Attention be carried to suitable resident Agents. What I have in View is to select out of our Battalions two young Gentlemen of Sense and military Talents, to give them the Rank and Appointment of Majors at the State Expense, and under Obligation of Residence & to acquire the Language of the Indians. Watch over their Conduct. This office must always be necessary & the provision ought to be permanent. Consider in how many Views they may be useful. I only mention the Land Office and the Indian Trade: If these were not sufficient I might add the *greatest of All motives*, the Safety & *Tranquillity* of our *Frontiers*.

I shall not at this time trouble you on any further Topic; except a Word for myself, which is to request that your Excellency will be pleased to put it in my power to return home with at least your Approbation. I am really worn down with Anxiety & hard Application, tho' I endeavour to bear it with apparent Chearfulness.

With all possible Respect—I have the Honour to be, Sir, Your Excellency's most obedt. and very humble Sevt. Jas. Duane

RC (ICN: Ayer Collection).

¹ See Duane to George Clinton, June 12, 1779.

² For George Rogers Clark's capture of Henry Hamilton, see William Fleming to Thomas Jefferson, May 22, 1779, note 4.

³ Volkert P. Douw, Turbutt Francis and Philip Schuyler were the commissioners of Indian affairs in the northern department from the state of New York. The other commissioners were Joseph Hawley of Massachusetts and Oliver Wolcott of Connecticut. *JCC*, 2:183.

John Fell's Diary

June 30 [1779].

Coml Committee. Congress. After the Letters and reports from Committee, the Order of the day on finance was taken up and some Resolves relating to the Loan for 20 Million of Dolls. agreed to and ordered to be Printed.¹

MS (DLC).

¹ Samuel Holten's brief diary entry for this day reads: "Wednesday. The President of Congress is indisposed & has not attended congress this two-days—very warm." *MDaAr*.

John Jay to George Washington

Sir, Philadelphia 30th June 1779

Your Excellency's Favor of the 23rd Inst, with the papers referred to therein, came duly to hand, & have been communicated to Congress.¹

Herewith I have the honor to transmit a copy of a Letter of the 15th Inst, from Doctor Morgan to Congress, charging Dr. Shippen with Mal-practice in Office, and an Act of Congress directing such Proceedings to be had thereon as that the charges alluded to in it be speedily inquired into and justice done.²

Copies of two other Acts of the 28th Inst, will also be found under cover with this—The one calling on the several States to fill up their Battalions—The other directs in what manner the vacancies of Commissioned officers in the Regiments raised, by the respective States, for the continental Army, are to be supplied.³

I have the honor to be with the greatest Respect & Esteem, Your Excellency's Most Obedient Servant, John Jay, Presidt.

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ *JCC*, 14:778. Washington's June 23 letter is in *PCC*, item 152, 7:419–22, and Washington, *Writings* (Fitzpatrick), 15:304–5.

² *JCC*, 14:733–34.

³ For these resolves, see *Jay to Certain States* and *Jay to William Livingston*, June 29, 1779.

Daniel of St. Thomas Jenifer to Charles Carroll, Sr.

Dear Sir

Phila. June 30th. 1779.

You have been misformed, Congress have not yet concluded on what terms they will accept of peace—they have been the subject of Deliberation for 5 Months past. I would most chearfully acquiesce in Britons keeping their American Possessions, and maintaining their Common Right of Fishing on the Banks of Newfoundland. Your observation is too true, that we have delayed recruiting our Battallions & sinking our Money beyond the time we ought to have adopted these measures. However, I am not without hopes that the States will exert themselves. If they do not, we are an undone people. Congress expects to raise 20 Millions on loan immediately over and above the 45 Mills. I am afraid Congress will not recommend to the States the repeal of the Tender Bill—I have mentd. this matter to some of the Delegates, who speake of the ill consequences that might attend such a measure, to be sure to put it in the power of Men to pay their Debts with the 20th penny is unjust.

Congress have not recd. any information from South Carolina since the 5th of May. Mr. Drayton has a letter from a Gentn. in Chas. Town, dated the 19th of May which informs him that the Enemy were in Possession of James's Island. No mention made of any engagement having happened, but says Genls. Lincoln & Williamson were within a days March.

In a New York paper of the 19th Inst. is a Deposition of a Capt. Mcalpine that left Tybee (Georgia) the 5th of this Month, and also a Letter to Sir Geo Collier from a Capt. of a Man of War in Savannah, both of which contain intelligence of a Serious Nature. And altho I do not believe the situation of the Enemy to be so promissing as to put them immediately into Possession of Charles Town, which they seem to expect, or that Governor Rutledge had offered to Capitulate on Condition that South Carolina should remain Neuter during the War, which they also assert, yet I fear Lincoln is not in force sufficient to risk a battle.

Two prizes to the Confederacy & Boston Frigates with 200 Hhds. Rum, & other Good arrived here Yesterday, likewise 6 or 7 Merchantmen from Statia with various Articles of Merchandize.

I am of opinion Mrs. Carroll would receive great benefit from the

Springs. Be pleased to present my Compliments, to her, and Mrs. Darnall & to Your Son.

I am with great regard & esteem, Dear Sir, Your most humble
Servt., Daniel of St. Thos. Jenifer.

RC (MdHi: Carroll Papers).

Daniel of St. Thomas Jenifer to Thomas Johnson

Dear Sir,

Phila. June 30th. 1779.

Congress have not received any information from South Carolina. Mr Drayton has a Letter from a Gentn. in Chas. Town dated the 19th of May which informs him that the Enemy were in Possession of James's Island. No mention made of any engagement having happened, but says, Genls. Lincolns and Williamson were not far off.

In a New York Paper of the 19th Inst. is a Deposition of a Capt. McAlpine that left Tybee (Georgia) the 5th of this Month and also a Letter to Sir Geo. Collier from a Capt. of a Man of Warr in Savannah, both of which contain intelligence of a serious nature. And altho, I do not believe the Situation of the Enemy to be so promising as to put them immediately into Possession of Charles Town which they expect, or that Governor Rutledge had offered to Capitulate on Condition that South Carolina should remain Neuter during the War which they also assert, yet, I fear Lincoln is not in force sufficient to risk a battle.

Two Prizes to the Confederacy & Boston Frigates with 200 Hhds of Rum, and other Goods arrived at this Port yesterday; Likewise 6 or 7 Merchantmen from Statia with various Articles of Merchandize. With the greatest respect and regard I am, Dear Sir, Your affectionate Servt., Daniel of St. Thos. Jenifer

[P. S.] I propose to set out from this the 4th of next Month.

RC (MdAA: Red Books).

John Dickinson's Notes.

[June ? 1779]¹

The first Question to be determined, is, whether the borrowing Continental Money to be repaid principal and Interest in Gold & Silver at a certain Rate & at a certain Discount, or borrowing Continental Money to be repaid principal & Interest in the same Currency, will be the easiest Mode to the Inhabitants of these States.

The second Question to be determined, is, whether, the former Mode abovementioned being adopted, it will be most advantageous to the Inhabitants of these States, to borrow on Condition of repaying Principal & Interest at the End of one Year, or on Condition of paying Interest annually & repaying the Principal at a distant period.

As to the latter Mode above mentioned, will it not impose an enormous Burthen on the people which will continually encrease by the growing Appreciation of our Currency by Taxation, & thereby even become insupportable? Will not the profits to the Lenders encrease in the same proportion, and thus the Industry & Care of a vast Majority of the people be constantly employed in adding Riches to the Creditors without Diligence or Attention on their part and yet incessantly multiplying in their Hands? Will the Majority be contented for any Length of time to labour under these Circumstances?

As to the former Mode abovementioned, no Gentleman has propos'd any Scheme for taking in Money by subscription for Bills bearing Interest payable annually, the principal to be repaid at a distant period, at any higher Rate than eight or nine Continental Dollars for one silver Dollar, yet it is acknowledged, that the Rate of Exchange is from 12 to 15 for one, if not more. If then a Fund can be procur'd to pay Bills for principal & Interest at the End of a Year, and a sufficient Quantity of Bills can be disposed of, this Method is preferable to that of Subscriptions. But to this Method two Objections lye—first, that We cannot procure such a Fund—secondly, that We cannot dispose of a sufficient Quantity of those Bills, if we had the Fund.

As to the first Objection, the Distinction must perpetually be preserved in national Councils between Difficulties and impossibilities. This very War is a striking Verification of the Distinction. It may not be convenient to our Ally to advance a principal sum, tho it may be to advance a smaller one to pay Interest. But We have, it is apprehended, other Resources. In Holland, & Switzerland, influenced by a sympathy for those who are treading in their Steps to Freedom & Independence, & expecting Advantages perhaps by indulging those just Sentiments, and in Spain well disposed & interested to support Us, We may not unreasonably, it is asserted, look for Assistance on this Occasion. One, or all together may give Us the help we want.

Suppose all together should fail to make up the humble desire, is it probable, We should totally fail? If We do not, will not the sum lent, aid Us advantageously as far as it extends?

Allowing, We should totally fail, can We not by paying the Interest, by an additional Interest or otherwise make such Compensation to sellers, as to vindicate the national Faith?²

As to the second Objection, it is apprehended, that if proper Quotas of the Bills are dispers'd throughout the several states, as Equity requires & the Exchange fix'd alike in all, very considerable sums

might be rais'd. The Quantity may be so proportioned, as to encrease the probability of selling them. Granting, that We cannot sell as many as We would, We may have a considerable profit by selling as many as We can. What Harm can the Attempt do? We shall know in a short Time, to what Amount We should negotiate a foreign Loan for payment.³ Nor is this Mode at all inconsistent with that other of subscription—both may be tried together, or that of subscription immediately after the other. If tried together, perhaps the Views of different persons would be best answered. Mercantile people might chuse Bills payable principal & Interest at the End of a Year, for the purposes of Trade. Others might chuse to subscribe contented with payment of Interest for a Number of Years, & having that & the principal secured against Depreciation.⁴

MS (Phi: Logan–Dickinson Collection). In the hand of John Dickinson.

¹ Dickinson may have drafted these notes in preparation for a speech that he intended to deliver on the subject of a domestic loan that Congress took up on June 9. The debate over specific provisions of such a loan continued intermittently throughout the month and concluded on June 29 with the adoption of resolves authorizing the borrowing of \$20 million at 6 percent interest. See *JCC*, 14:672–73, 716–20, 728–33, 747–48, 783–85; John Fell's Diary, June 11 and 14; and James Lovell to James Warren, June 15, 1779.

² In the margin opposite these two preceding paragraphs, Dickinson wrote the following comment: "Perhaps of all Modes, that of Annuities according to the well known Rules of Calculation may be cheapest, as far as it extends."

³ Dickinson may be referring here to proposals being reviewed by the committee to which he was appointed on May 28 "to consider the most advisable mode of negotiating a foreign loan, to what amount, and in what manner the same be most advantageously applied to the use of these states." *JCC*, 14:662–63.

⁴ In the margin opposite this paragraph, Dickinson added the following comments. "If either of these Modes is adopted, would it not be adviseable to compleat them before the presses are stop'd, if that can be done soon? Another Object easily to be combin'd with the preceding will be the Importation of Goods on Continental Account under Convoy &c the sale of which will command vast sums."

John Armstrong, Sr., to John Davis

Dear Sir

Philada. 1st July 1779.

I lately wrote you a line or two, Since which we have heard that the Success near Charlestown with which we were so long amused was not true, for the Enemy made no attack upon our works as was reported, but only appeared before them and again retreated probably into an Island to which General Lincolns access may be somewhat difficult—it will at least cost him time to collect a Sufficient number of Boats for that purpose. However, the Enemy are disappointed of their chief design, and Lincoln near them with a Superior force, so that there is Still reason to expect good news from thence. I must ask the favour of you to Send down by the first Waggon you

Send, Mr. Matthew Irwins Tent which lies at my House. Mrs. Armstrong will give it, and I beg you will not forget it, as he wants to make use of it. It may be delivered at the Qr. Master or Commissarys Store. Can't you tell us, how the Country appears, how are prices & what is the State of the Harvest. The Scheme of Finance now thrown out I hope will Stop the depreciation & begin to turn the Current of our Money.

I am dear Sir Yours &c.,

John Armstrong

[P.S.] Genl. Thompson is here & in health—the heat has been Severe [on] us & almost laid me by.

RC (DLC: John Davis Papers). Addressed: "Coll. John Davis near Carlisle. Favoured by Mr. Jas. Elliot."

John Fell's Diary

Thursday July 1st. 1779.

Coml Committee. Congress. A number of Letters Read, and one from Major Genl Green Quarter Master General of a very insolent nature indeed highly Reflecting on the Legislature for having Taxed two of his Asistan[ts,] Col Cox and Col Petit, and threatening to Resign &c.¹ After speaking on the subject, and to treat it as I thought it deservd, I moved to have it lie on the Table, but that motion was over ruled and it was Committed to McKean, Duane & Burk— after the order of the Day Debates on the Fishery &c. Marine Committee.

MS (DLC).

¹ For New Jersey's attempt to tax Cox and Pettit, see John Jay to John Cox and Charles Pettit, July 9, 1779.

Henry Laurens' Notes of Debates

In Congress the 1st July. '79

Mr. Drayton, who had repeatedly in the Month of March & later, on several days when the Fishery was under debate averred that these States had no right to the Fisheries of North America, which they had enjoyed only as subjects to Great Britain & had forfeited by withdrawing their allegiance, who had upon all occasions refused to make the Fishery an Ultimatum, who would not consent even to an article of Instruction to our Minister by no means to give up the right, unless it should be clogg'd with a dangerous & disgraceful Proviso—(see proceedings of Congress in March & thenceforward) who had declared that the enjoyment of the Fisheries could be bene-

ficial only to three or at most four of the States, & that it never had been & never could be an object of advantage to So Carolina—who had combined with the North Carolina Delegates & their junto in an attempt to force my Vote (see Letter on that occasion)¹ contrary to my judgement—did on this day with unamazing assurance declare that he had never denied the right of America to the said Fisheries, that he had always maintained that right—that he should leave in Congress such a testimony of his sentiments on that head as would do him justice & then produced a Paper & read part of a Paper containing propositions respecting the Fisheries, according to his Ideas, which he immediately returned to his Pocket. I beleive very few Members enjoyed more than the sound of his voice. I did not; therefore I cannot determine whether his propositions were good or bad.

Mr Burke's amendment.

I called for a division the word first.² Mr Gerry called for Ys & Ns. Mr. Drayton said the question should be on the whole amendment—I replied it was losing time besides an improper attempt to debate on my right to divide a question but in the present case there was reason for dividing, some Gentlemen might be for one part of the proposed amendment & reject the other part—some Gent. asked if we were to have Ys & N's upon a division of every word. Mr. Drayton answered yes upon every word. Mr Laurens has called for the division & the Yeas & Nays—this was unmannerly & false, I replied the Honorable Gentleman durst not call my Name in such terms out of doors—calling a Members name is counted an indecency, but I had neither desired a question on every word nor had I called for Y's & N's.

MS (ScHi: Laurens Papers, no. 22). In the hand of Henry Laurens and endorsed by him: "Mr Drayton's conduct 2d July 1779—respecting qu[estion] on the Fishery." Laurens' endorsement is in error, however, for the events discussed in these notes occurred on July 1 rather than 2.

¹ A reference to the letters exchanged by Laurens, William Henry Drayton, and the North Carolina delegates on April 2, 3, 4, and 8, 1779.

² Laurens' version of "the consideration of the second proposition moved by Mr. Gerry" this day varies in a few details from that recorded by Secretary Thomson. According to Thomson, the initial division over the question "Shall the word 'explanatory' stand" was called for by Burke rather than by Laurens. *JCC*, 14:790–91. A second amendment offered by Burke this day, according to Thomson, pertained to the "third proposition" of Elbridge Gerry, which was seconded by Drayton. *JCC*, 14:793. Although the amendment was again debated on July 17, action on it was then postponed and it was not again taken under consideration. Gerry's effort to revive it on July 31 failed. See *JCC*, 14:850–51, 909–10.

John Fell's Diary

Friday July 2d [1779].

C. Committee. Congress. Sundry Letters. Petitions &c were read, Order of the Day on finance agreed to sundry Resolves relating to the extending the time for Receiving the Emissions of April & May, call'd out of Circulation.

MS (DLC).

Henry Laurens' Notes of Debates

In Congress 2d July '79.

A Letter from a french Officer John——¹ in bombast terms on the glorious anniversary of American Independence & praying Congress to employ him to exhibit certain grand fireworks on the 5th Inst. which he *had prepared* for the purpose.

Mr. Drayton rose & in a funny declamation informed the House that it had been the practice of all Nations ancient & modern to celebrate particular days by festivity, that Greece had instituted the Olympic Games, these things he repeated again & again without [end?]² & concluded by hoping the Man would be ordered to exhibit his fireworks.

Mr. Laurens, rose, expressed his astonishment at the conduct of his Honorable Colleague, who seemed to be altogether joyous at a time when he thought he was loudly called on to serious reflection. Does not the Gentleman know that his own Country is bleeding at every vein & now probably reduced to the greatest distress? has not the Gentleman recently received a Letter informing him that all the Rich Planters in the Southermost parts of his Country are ruined? did we not yesterday receive a very alarming Letter from the Quarter Master General? have we forgot the alarming Letters from General Gates read at that Table but two or three days ago? has not the Commander in chief frequently informed us of the precarious state of existence in which our Army has for some time been? have we not held out to our Constituents that we were endeavoring to appreciate our Currency by lessening the quantity in circulation? is not every unnecessary expenditure the cause of increas'd emissions? is this the Honorable Gentleman's mode for appreciating our Paper Money by adding expence to expence & unnecessarily?

If the Honorable Gentleman will shew me that the United States of Holland when they were in our circumstances & I beleive they never were less able to bear expence than we are, or the Canton's of Switzerland, plunged into expensive feasts for celebrating the anniversary of their Independence, I might be brought to agree with

him—but I beleive he cannot produce any such Instances from their histories—their prudence, their œconomy secured their Independance & their present happy establishment.

The Olympic Games of Greece & other fooleries brought on the dissolution of Greece—my Colleague may think this a day for joy & mirth, I am of a different opinion, I rather think it a time for fasting & mourning, I speak seriously & I hope I speak properly—I move, the Letter may lie on the Table & no further notice be taken of it. This was loudly seconded.

Mr Drayton replied, “I would have Gentlemen when they talk of history discover that they knew something about it—the Olympic Games were not instituted for the celebration of anniversaries nor did they bring on the ruin of Greece, they were calculated for improving bodily strength—to make Men athletic & robust”^{*}—here he was called to order by several Members & to sit him down the Order of the day was called for & the Paper ordered to lie on the Table & generally exploded.

^{*}is drinking Madeira Wine from 5 to 9 oClock then sallying out to gaze at fire works, & afterward returning to Wine again, calculated to make Men athletic & robust? why then introduce the Olympic Games as an example for fire works.

I might have added to my question—ought that Gentleman to consent to any anniversary expence which may add weight to the already intolerable burthen of Taxes laid on his Constituents? but in my zeal it escaped me.

MS (ScHi: Laurens Papers, no. 22). In the hand of Henry Laurens, and endorsed by him: “Mr. Drayton on Fire works and Olympic Games.”

¹ Jean Laugeay, whose July 1 memorial to Congress is in PCC, item 41, 5:208–10. Laugeay, who had applied to Congress for employment in 1776 as one skilled in “the Art of Artificial Fire Works, in France; an Art so necessary to make Signals and render lights, both to the Navies, and Armies in Camp, at the time of Night,” petitioned Congress on July 23 for compensation for expences he had incurred in presenting the fireworks exhibited in Philadelphia on July 5. See *JCC*, 5:710; and PCC, item 42, 4:96–99, 204–7. See also John Fell’s Diary, July 4–5, 1779.

² Laurens apparently omitted a word or a few words at this point. His meaning has been conjectured.

Marine Committee to Samuel Nicholson

Sir

July 2d. 1779

We have received your letter and one from Captain Tucker by which we are informed that three of the enemies Ships are now Cruizing for the purpose of falling in with you. Being apprehensive that those Ships will prove of Superior force we have sent Instructions to Captain Harding to continue with you ten days longer;¹ and

we flatter ourselves this will Afford you sufficient Strength to cope with the enemy. If you should be so fortunate as to take any or all of the enemys ships you will see them safe into port. If you should not meet with them in the course of Ten days, you will See the Confederacy within the Capes and then if your Ships are fit for the Cruize pointed out by your former Instructions you will immediately proceed upon it. You have enclosed a Copy of the Instructions given to the Ships that lately sailed from Boston whom if you can join, we hope will make so respectable a Squadron as to enable you to accomplish some thing honorable to yourselves and the American Flag. We are Sir Your hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The Marine Committee sent the following letter this day to Capt. Seth Harding: "We have this moment received intelligence from good authority that three of the enemys Ships are Cruizing off the Capes, and as we are apprehensive they will prove too Strong for the Deane and Boston, you are hereby directed to join those Two Ships with all possible dispatch and to continue with them for Ten days after which they will see you safe within the Capes, but in Case it should so happen that those Ships have sailed so long before this comes to hand that you have not a probabillity of speedily joining them you will then proceed up the River agreeable to your former Instructions." Paullin, *Marine Committee Letters*, 2:92–93.

John Fell's Diary

Saturday July 3d. 1779.

Coml Committee. Congress. Letters, Memo-rials, Reports from the Treasury Board &c. This days Paper was read wherein a Letter sign'd Leonidas was introduced, and a motion made by Mr Gerry to send for the Printer, to know the Author, long debate and the Privious question being calld for and carried in the Affirmative, the Motion drop'd.¹

MS (DLC).

¹ See Henry Laurens' Notes of Debates this day, note 1.

Samuel Huntington to Jeremiah Wadsworth

Sir

Philadelphia 3rd July 1779

Agreeable to your request of the 12th Ultio I have inclosd the Copy you desired.

I am not insensible of the many difficulties to be met with in your department & on the other hand you are not unacquainted with the general uneasiness that hath arisen in the Country from the two great departments purchasing on Commission. I have the fullest

confidence you will do every thing in your power for the good of the Service.

In the present Situation of our affairs it Seems absolutely necessary to make Some new regulations in those departments for the better if possible, but in this Stage of the Campaign it is exceeding difficult if not dangerous to make alterations, at least nothing may be done Suddenly.

The exorbitant price demanded for the necessary Supplies for the Army greatly Embarrass Congress as well as your department & the Quartermasters but they must all be Surmounted.

I hope Some measures may yet be adopted that will lower the price & lessen the demands, the Several States must exert themselves for that purpose.¹

The various Accounts we have had from the Southard prove at length to be misrepresentations, by a Letter from Col. Laurens the 10th June it Seems the Enemy were Encampd on the main near Johns Island & Intrenchd, Genl Lincons Army a few miles distant & no considerable Action had happend near Charles Town, as was so often reported. We have Just heard the Enemy are come down the North river Leaving a Garrison at Stony point.

I am Sir with due regards your humbl Servt,

Sam. Huntington

RC (CtHi: Wadsworth Collection).

¹ Huntington's and Wadsworth's home state, Connecticut, hosted a meeting of representatives from the other New England states and New York in October 1779 that recommended state-imposed price controls. Charles S. Hoadly, ed., *The Public Records of the State of Connecticut*, 15 vols. (Hartford: Case, Lockwood & Brainard Co., 1850–90), 2:562–71.

John Jay to Various Continental Officers

Gentlemen,

Philadelphia 3. July 1779.

Your Favor of the 31st May last, has been delivered to me, and shall be immediately communicated to Congress. A Committee has lately been directed to report a further Provision for the Army and I flatter myself that such Resolutions will be entered into on that Subject, as to render the justice & Gratitude of the United States, as manifest as the Services & Patriotism of their army.¹

I have the honor to be, with great Respect, Gentlemen, Your most Obedt. Servant.

LB (DNA: PCC, item 14). Addressed: "To Colonels [William] Shepard, [Latimer] Greene, [John] Topham, [Robert] Elliot, [James] Livingston, [Henry] Sherburne, [John] Crane & [Israel] Angell, Lt Colonels [Samuel] Ward, [Richard] Livingston, [Jeremiah] Olney, & [Ebenezer] Sprout, and Majors [Ebenezer] Huntington, [William] Bradford, [Lebbeus] Ball, [William] Perkins, & [John] Porter."

¹ The May 31 memorial of these officers, lamenting the “baneful Effects” of continued depreciation of Continental currency and requesting “Relief as may be adequate to our Wants,” is in PCC, item 78, 20:409-12. It was read in Congress on July 5 and referred to the Committee of Conference, which had already been “instructed to report speedily upon a further provision for the army” and which submitted a report to Congress on July 14. For the recommendations of this committee and Congress’ response to the grievances of Continental officers at this time, see John Fell’s Diary, July 27, 1779, note.

Henry Laurens’ Notes of Debates

3d July 1779.

Mr. Gerry said he spoke to privilage, and stopt the reading Public Dispatches. Complained of an insult offered to Congress by a Publication in Dunlap’s Paper of this day, introduced under the Signature Leonidas,¹ “If such famous Publications are to pass without proper notice ’tis time for Congress to go home, and other Men come in their stead. I am sure I will not stay &c. &c. &c. &c. &c. half an hour. Moved that Mr. Dunlap be directed to attend the Bar of this House to answer such questions as shall be proposed.” &c.

Mr. Laurens, “I second the motion, *for reasons to be hereafter made known.*”

Mr. Merriweather Smith opposed the motion—“he had read the Paper and had it now in his hand, thought it contained several good things; then read and commented on several parts and finished his harangue with this peroration. When the liberty of the Press shall be restrained, take my word for it, the liberties of the People will be at an end.”

Mr. Burke—opposed the motion—“it would be lowering and disgracing the dignity of the Congress to take any notice of the Printer or Author— what shall we get by the enquiry?” &c. &c. &c.

Mr. Penn—opposed the motion—“The Writer he made no doubt had *good designs*. The liberty of the Press ought not to be restrained. Gentlemen talk of imprisoning the Printer or the Author. I will undertake to say, if you have power, which I doubt, and were to imprison them for six Months, they would come out greater Men than they went in. What was it made Wilkes so great and popular a Man, but the imprisonment he suffered” &c. &c. &c.

See the affair of Rivingtons Publication.²

Compare the conduct of these Gentlemen in that case with their speeches & declarations in the present instance—the purity of their motives & principles will be displayed—from the same polluted sourse flow all their actions—when some Men seem to be honest, they calculate for the accomplishment of interested or wicked purposes—when they speak truth, it is in order to deceive.

Mr. Laurens’s reason for seconding the Motion was to discover

what part those three Worthies would act, who had so eagerly attempted to persecute him for a Publication by the Enemy at New York, to which his name was subscribed—and who were now so very silent when a complaint was made of gross affronts to Congress by one of their own Printers—until he had seconded the Motion which was not hastily done, they sat mute.

MS (SchH: Laurens Papers, no. 20). In the hand of Moses Young, and endorsed by Laurens: "Leonidas & Co. in Congress 3d July 1779."

¹ Elbridge Gerry's complaint was in response to a letter printed in the July 3 issue of the *Pennsylvania Packet* signed "Leonidas," which sharply criticized Congress for failure to address the problem of inflation. Alluding to Congress' May 26 Address to the Inhabitants of America, Leonidas chided the delegates for their long delay in coming to recognize the evil and asked rhetorically, "Why has the disease been suffered to run on to its last stage before you raised the cry of danger in the ears of your country?" Denouncing their attempt to blame rapid depreciation of the Continental dollar on America's "enemies, or the infamous practices of monopolizers and forestallers," he went on to assert that the problem "must be traced only to the mistakes of Congress," and scoffed at their paralysis in the face of financial disaster. "Let us read something more than the 'Yeas' and 'Nays,' and questions for recommitting and postponing business in your journals," he continued. "Your money—your money—demands every thought and every hour. You have more to dread from this quarter than you have from all the Britons, Hessians, New Levies, Refugees, Indians and Negroes that are now in arms against you. I conjure you therefore immediately to bind yourselves to each other by an oath, not to eat, drink or sleep till you have arrested your money in its progress towards destruction, and fixed it upon a permanent foundation." For a discussion of Leonidas' "Publication," where authorship of the work is attributed to Benjamin Rush, see Rush, *Letters* (Butterfield), 1:229–37.

² For this allusion to Meriwether Smith's attempt to embarrass him over the publication of his captured letter to John Houstoun in James Rivington's *Royal Gazette*, see Laurens' two speeches in Congress of May 15, 1779, these *Letters*, 12:472–75.

Nathaniel Peabody to Josiah Bartlett

Dear sir

Philadelphia July 3d. 1779.

I arived here the 21 ulto. after a long & tedious Journey,¹ during which the weather was extreemly hot, there was much rain for 4 or 5 days So that I was Obligated to lay by for Considerable time where it was very difficult to procure Sustainance for men, or beast, and very expensive living, even where there was neither Eating or drinking, I came by the way of Sussex as it was thought unsafe to travel Lower down.

I See much of that Jealousy & party Spirit by which some Gentlemen will perpetuate their detestable Characters. The Wheel of Finances drags on heavily, Foreign affairs not much better, by the enclosed Newspapers You will See Something of the disputes &c—*Southern*, & *Eastern States*.

I think it is of the utmost importance to the united States in General, & to the Eastern States in particular that the State of New Hampshire

take Some measures to prevail on Genl. Whipple to Tarry here a few months longer which I think may be done—it is a very critical time—and a Southern member from an Eastern State might Essentially alter the, only Justifyable, plans for prosecuting the War, or negotiating a peace.² I heartily wish that the State, by their Assembly, or Committee would Signify to Genl. Whipple there earnest desire that he would make a little farther Sacrifice in the Cause of his Country. The expence of Travelling which, at this time, is very Great and having two new members in Congress at this important hour might Sufficiently appologize for Such a movement—but I must bid You adieu for this time as Capt Martin is now waiting. I Shall write you upon some other matters very Soon. Youl please to burn this Letter as Soon as you have read it that no other person may See it. Give my best Complmt. to Mr. Presedent—Mr Dudley, Genl Folsom & every body you please.

I am Dear Sir, Your most obd. Huml Sevt,

Nathl Peabody

N.B. If any Letter for my family Should Come to your hand Youl please to forward them.

RC (MHi: C. E. French Papers).

¹ Peabody began attending Congress on June 22. *JCC*, 14:755.

² Peabody was concerned that William Whipple would soon be relieved in Philadelphia by Woodbury Langdon and that the latter would not be a vigorous supporter of American claims to the fisheries as one of the “ultimata” to be incorporated into any peace proposals. Whipple himself had previously hinted that his presence in Congress would be required so long as the fisheries issue remained unresolved and he undoubtedly shared the concern that Peabody was expressing here. See Whipple to Joseph Whipple, June 4, and to Josiah Bartlett, June 20 and July 3; and Peabody to Bartlett, September 7 and 21, 1779.

William Whipple to Josiah Bartlett

My Dear Sir

Philadelphia 3d July 1779

You having several times mentioned to me the Laws of this State respecting the Fugitives & other disaffected Persons, I now do myself the pleasure of gratifying you wish by inclosing the only Law I know of on that subject.¹ I have not read it therefore can form no Opinion of its merits, but hope you may find something in it that may be useful. The solicitations of my Present Colleague and some other circumstances induce me to tarry some time longer then I some time ago intended. I shall give notice three or four weeks before I take my departure in order that my place may be filled, unless my constituents shod think proper to send Mr. Langdon forward before I give that notice.

I have communicated to Mr Martin who is the Bearer of this some

reasons for my continuence which he will make known to you.
 Wishing you much happiness I am in hast, very sincerely Yours,
 Wm. Whipple

RC (NhD: Bartlett Papers).

¹ After receiving repeated requests from Bartlett for "the Laws of Pennsylvania Relative to the Refugees & their Estates," Whipple probably sent a copy of Pennsylvania's March 6, 1778, "Act for the Attainder of Divers Traitors," which is printed in *The Acts of the General Assembly of the Commonwealth of Pennsylvania* (Philadelphia: Francis Bailey, 1782), chap. 49, pp. 98–110. Bartlett, *Papers* (Mevers), pp. 233, 236, 244–45.

Committee of Congress to John Jay

Sir Hartford July 4th 1779

We received your letters of the 2nd of June¹ inclosing certain resolves of Congress, appointing a Committee of five, of which we had the honor to be two, to repair to the Inhabitants on the Newhamshire Grants So Called, & to enquire into the reasons why they refuse to Continue Citizens of the respective States which heretofore exercised Jurisdiction over them &c &c. Those letters we recd. on the 14th when attending the General Assembly of this State; the assembly did not rise untill the 18th; On the 22nd, which was as Soon as we possibly could, we Set out, and hearing at Stockbridge that Doctr Witherspoon & Colo. Atly² had got to Bennington we directed our Course for that place, arrived there in the afternoon of the 26th, and found to our great Surprize that these Gentlemen left there that morning, to go to Albany. We Immediately Sent an Express after them with letters Informing of our arrival & requesting their return. On the 29th at noon the Express returned, with letters acquainting us that they Should not return, who overtook them at Albany, and as by our Commission not less than three were Impowered to Act we Considered our business at an End & that we had nothing to do but return. Committees from Several Towns who had not heard of the Committee of Congress July 6th yet untill after Dctr. Witherspoon & Colo Atly went away were pressing to be heard on Matters, which they Conceived to be very Important to be laid before Congress. We Submit it to the wise Consideration of Congress whether if a time Should be fixed upon for making the enquiry, & previous notice given to all Concerned, it would not be the likelyest way to obtain the most perfect knowledge of the true State & Situation of the business enquired after and greatly facilitate the Execution of any resolutions of Congress relative to the Inhabitants of that part of the Country.³

With great respect & Esteem, we are, your Excellencys Most
 obedt. & most humble Servants,

Jesse Root

Olivr Ellsworth

RC (DNA: PCC, item 59). Written by Root, and signed by Root and Ellsworth. Dateline in the hand of Ellsworth.

¹ See John Jay to Timothy Edwards, Oliver Ellsworth, and Jesse Root, June 2, 1779.

² For Samuel Atlee's and John Witherspoon's explanation of their own efforts to join with Edwards, Ellsworth, and Root, see Committee of Congress to Samuel Minott, June 23, note; and Committee of Congress Report to Congress, July 13, 1779.

³ This letter was read in Congress on Monday, July 12. Even though no action was taken on it by Congress, it probably stimulated Atlee and Witherspoon, who had just returned to Congress on July 9 and 10 respectively, to hurry submission of their own report to Congress the next day. See *JCC*, 14:819, 823; and Committee of Congress Report, July 13, 1779.

John Fell's Diary

[July 4–5, 1779]

Sunday 4th July. this being the Anniversaire of Our Indipendence, the Chaplains of Congress were orderd to Prepare Sermons suitable for the Ocasion.¹

Monday 5th. Coml Committee. Congress Adjourned at 12 O Clock to hear Mr Brackenridges² Elogium on the Heroes Slain in this Contest. Afterwards there was an Entertainment at the City Tavern. And in the Evening Currious fire works.³

MS (DLC).

¹ This decision had been reached on June 24. See *JCC*, 14:764.

² That is, Hugh Henry Brackenridge, whose oration, *An Eulogium of the Brave Men Who Have Fallen in the Contest with Great-Britain*, was published in Philadelphia by Francis Bailey and, in a German translation, by Steiner and Cist. See Evans, *Am. Bibliography*, nos. 16213, 16214. For Brackenridge's literary career, see Claude M. Newlin, *The Life and Writings of Hugh Henry Brackenridge* (Princeton: Princeton University Press, 1932).

³ On June 24 Congress had also resolved that "the President cause an entertainment to be prepared on the 5th of July, in celebration of the independence of these United States" and appointed James Searle, James Lovell, and William Paca to assist Jay "in regulating the said entertainment." Fell himself had voted against the motion. See *JCC*, 14:764–65.

The *Pennsylvania Packet* for July 8 contains an account of the independence celebration arranged by Jay and the committee.

"On Monday morning an elegant Oration was spoken to a very numerous and respectable audience, in the Dutch Calvinist Church, by Mr. Brackenridge, in honour of those patriots who have offered their lives for their country in the course of the present contest.

"The same day an entertainment was given by the honourable the Congress to the Minister Plenipotentiary of France, the President and chief Magistrates of this State, the Consul of France, several continental officers civil and military, and many strangers of distinction. The company were entertained with music, and the following toasts, introduced by thirteen vollies from Col. Nicola's regiment, were drank.

"1. The United States of America *by the grace of God* FREE and INDEPENDENT.

"2. His Most Christian Majesty, THE PROTECTOR OF THE RIGHTS OF MANKIND.

"3. The Queen, Princess and Royal Family of France.

"4. His Most Catholic Majesty and the other Branches of the Royal House of Bourbon.

"5. General Washington.

"6. The allied arms of France and America.

"7. The friends and patrons of liberty throughout the world.

"8. The memories of those heroes who have nobly died in defending the rights of their country.

"9. May the ensuing campaign give new *laurels* to our *heroes*, and *fresh lustre* to our *stars*.

"10. May *affection* cement the union which wisdom has formed between France and America.

"11. May the cap and staff of liberty soon crest the arms of Ireland.

"12. May America never forget that virtue, valour and science are the bulwarks of her independence.

"13. Peace, liberty and happiness to all mankind.

"In the evening a sett of brilliant fireworks were exhibited, particularly excellent rockets, which, after ascending to an amazing height in the air, burst, and displayed thirteen stars.

"The whole was conducted with great order and decorum; no unfortunate accidents happened, but joy and innocent festivity pervaded all ranks of people."

Samuel Holten's Diary

[July 4–5, 1779]

4. Sabbath day. The anniversary of the independence of America. I attendd. public worship at christs church. Mr. White preached from Romans c[hapter] xiii & v.l & 2. "Let every Soul be subject unto the higher powers," &c. At 12 oClock, attended at the Roman catho' church, by invitation from the minisr. to sing *Te deum* on the occation. In the afternoon I attended meeting at Doctr. Duffield. very warm.

5. Monday. Congress adjourned at 12 o'clock, & attended an oration; And at 4 o'clock dined at the city tavern with a No. of other Gentn. of the first character.

MS (MDaAr).

Daniel of St. Thomas Jennifer's Notes on Franco-American Alliance

[July 4? 1779]¹

The Basis of every Confederation, or Treaty, should be founded on the principle of equality, otherwise it will not be lasting. The present plan, which twelve States have acceded to, being partial, cannot Subsist longer than the present danger exists.

If the present plan should be agreed to, and broke within three or four Years, Would not France and America be in a more critical situation, than if no general Confederation between the United States as to Territory had taken place?

Would not Great Britain avail herself of every dissention that



Daniel of St. Thomas Jenifer

might arise between individual States? And would not these dissensions probably end in a despotism?

To prevent this, Would it not be for the Interest of France and the United States, that Alliances should be made by France with each State seperately, as well as conjunctly?

Is it not necessary for the well being of the United States, that there should be a disinterested Umpire, that each might apply to as a common mediator? And would it not be for the Interest of the United States that France should be that mediating power?

Is it not for the Interest of France and the United States, that Canada should accede to the Union? And would not the present plan of confederation in all probability prevent it; great part of this Country being claimed by New York, and the New England States?

Would it not greatly Cement the Friendship between France and the United States, that the Subjects of each should be made Denisons of the other?

The United States having seperated from Great Britain and established their independency, it will be their Interest to remain for ever unconnected with a nation, who, for generations to come will not brook the dismemberment of her Empire, and will be continually endeavoring to regain by intrigue or Conquest, that, which by the greatest folly she has lost.² And therefore it consequently follows, that Great Britain and the United States must be natural Enemies. France and Great Britain being under the same predicament renders it absolutely necessary for the safety of France and the United States, that their Union should be lasting, and their utmost exertion made use of to humble the common Enemy.

The United States have men and Provisions, and can carry on the War to any length of time, provided the Paper Money emitted (about 147 Mill[ion]s of Dollars) can be apreciated. Congress have requested the United States to raise 45 mill[ion]s in addition to 15 Mills of Dolls. before requested ie, 60 Mills in the present year 1779, and opened a Loan for 20 Mills. Should these attempts be successful, the United States must still depend upon France for Arms, Amunition, and cloathing for the Army, the Money advanced for them with 6 Per Cent Interest, will be repaid at the End of the War. But if contrary to expectation, the Money should depreciate still further, the United States must be assisted by France, or Spain, or by both with 100 Mills. of Livres; for without such Loan, the War cannot be carried on, and the sooner our Ally is informed of this necessity the better it will be for both Powers.

MS (Archives du ministère des affaires étrangères: Correspondance politique, États-Unis, supplement, vol. 1). In the hand of Daniel of St. Thomas Jenifer.

¹ Each of the two documents that make up this entry is accompanied by its French

translation, the first of which is endorsed: "4 Juillet 1779. Notte Remise par M. Jennifer President du Senate et Delegeue de l'Etat de Maryland au Congress"; the second, "Autre notte du meme au meme." As Jenifer probably left for Annapolis on Sunday, July 4, to resume his position as president of the Maryland Senate, which was about to reconvene, he may have given these notes to Conrad Alexandre Gérard just as he was leaving. It is not known for what specific purpose he drafted them, but it is clear from Gérard's dispatches to the comte de Vergennes that Jenifer had developed a special rapport with the French minister in Philadelphia. Jenifer, Gérard asserted, was the most reasonable and fair-minded American leader he had yet encountered, by which he apparently meant that Jenifer's views generally coincided with his own, especially on the possibility that the United States might ultimately have to settle for something less than outright independence, perhaps along lines drawn in the treaty of 1609 ending the war between Spain and the United Provinces. Jenifer also believed, Gérard went on to explain, that the several states would ultimately form several confederations rather than a single nation, and therefore that it would be in the interest of all parties if the states individually would ratify the alliance with France, following the recent example of Virginia and Maryland.

Jenifer's purpose in drafting the second note printed here seems a bit more obvious. He doubtless saw in a French loan one of the few hopes yet remaining to Congress for avoiding economic ruin and probably thought that he could improve the prospects for such a loan if Gérard and Vergennes believed that right-thinking Americans such as himself were wholeheartedly devoted to the French alliance and prepared to accept the guidance and counsel of His Most Christian Majesty.

For Gérard's July 9, 1779, report to Vergennes on the "plusieurs conférences confidentielles" that he had recently had with Jenifer, see Meng, *Gérard Despatches*, pp. 763-67.

² At this point Jenifer inserted an asterisk to which he keyed the following note at the bottom of the page.

"Whoever will but one moment reflect on the Struggles & Wars that were carried on between the House of Austria, and the Switzers for more than 300 years, must be fully convinced of the truth of this assertion."

Delaware Delegates to Allen McLane

Sir,

Philadelphia, July. 5th. 1779

Your favors of the 28th last month came safe to hand. We are sorry to find that any of the Officers of the Delaware Regiment should be so unreasonable as to attempt to contravene the arrangement made by Congress, and approved by His Excellency the General, and also by the State.¹

When they reflect with candor on the subject, and consider, that the superabundance of Officers, compared with the privates, necessarily occasioned the reduction of many Regiments; and that it would be extremely hard to discharge Gentlemen from the service, who had entered early in the army, to the great detriment of their private affairs, and continued in it with reputation to themselves and advantage to their country; I say when they consider this, and also that there is no other possible way of doing justice to such virtuous characters but by attaching them to some other corps, and that as you was an Inhabitant of Delaware, had raised your company in that State, and that some of these Gentlemen have rose from Ensigns to

be Captains since you was a Captain; they will not, we flatter ourselves, think it hard that you have been added to their Regiment, especially when it will be a saving of about eight thousand dollars to the State.

His Excellency General Washington has undoubtedly a right to detach any company in his army as he shall conceive to be most beneficial for the service; and we are perfectly satisfied with his having ordered yours to join Major Lee's corps.² We doubt not you will have an opportunity of acquiring honor to yourself and your brave corps; and sincerely wish you glory and all manner of happiness.

We are, sir, Your most obedient Servants, John Dickinson

Thos. M:Kean

RC (NHi: McLane Papers). In a clerical hand, and signed by Dickinson and McKean.

¹ Since McLane's letter to the Delaware delegates has apparently not survived, the exact nature of his objection is unclear. His company, which had been recruited in Delaware in the spring of 1777, had been formally detached from the Delaware Regiment on January 13, 1779, with future assignment referred to the committee appointed to confer with Washington. Through an oversight, orders attaching the company to Maj. Henry Lee's Legion (2d Partisan Corps) were not sent to McLane. Meanwhile, he sought reimbursement for recruiting expenses from Congress in late April, but the matter was referred to the state of Delaware, for which see John Jay to Caesar Rodney, May 19, 1779, note. Finally, in early June, Lee asked Washington for confirmation of McLane's orders and on June 9 the commander-in-chief directed McLane to join Lee's unit, an order to which McLane apparently took exception. See JCC, 14:58, 119; Washington, *Writings* (Fitzpatrick), 15:241–42; and Wright, *The Continental Army*, pp. 134, 273, 323, 348–49.

² Because of McLane's objections, Lee wrote to President Jay on July 6 quoting Washington's orders and sending congressional resolution of the matter, for which see Jay to Washington, July 15, note 2.

John Jay to John Cox and Charles Pettit

Gentlemen,

Philadelphia 5th July 1779.

Your Favor of the 3rd Inst, was this moment delivered to me, & shall without delay be communicated to Congress,—The Object it respects merits immediate attention, & your Remarks on the means of obtaining it appear to me judicious.¹

The copy of a Letter from Moore Furman Esqr. mentioned to be enclosed, was omitted.²

I have the honor to be, with great Esteem & Respect, Gentlemen your most Obed Serv.

LB (DNA: PCC, item 14).

¹ In their letter to Congress of July 3, Cox and Pettit, Nathanael Greene's assistant quartermasters general, had recommended that measures be taken immediately to regulate prices, particularly because new and plentiful grain crops were about to be marketed, creating conditions holding new promise that such action might be effective. Their letter, which was inspired by one of June 29 from deputy quartermaster Moore

Furman citing recent frustrations with skyrocketing prices in New Jersey, was read and referred on July 6 to the committee appointed on May 28 "to make enquiry into the establishments and contingent expences" of various Continental departments, for which see PCC, item 78, 5:359–66; and John Dickinson's Committee Notes, June 7, note 1.

² Furman's June 29 letter to Cox and Pettit is in PCC, item 78, 5:367–69.

John Jay to Jonathan Trumbull, Sr.

Sir,

Philadelphia 5th July 1779.

Your Excellency's favors by Mr. Browne were duly received, and I have now the pleasure of transmitting herewith enclosed a copy of an Act of Congress of the 3rd Inst on the Subject of them.¹ Mr. Browne will take charge of a Packet containing twelve blank Commissions for private Ships of war, with an equal number of Bonds & Instructions.

I have the Honor to be &ca.

LB (DNA: PCC, item 14).

¹ Three letters from Trumbull dated June 22, which were read in Congress and referred to the Board of Treasury on July 1, are in PCC, item 66, 2:15–26. *JCC*, 14:787. For Congress' two resolves of July 3 adopted in response to the first and third of these, advancing \$200,000 to the state for clothing Continental troops and compensating messenger Jesse Brown, see *JCC*, 14:802–3.

Henry Laurens to William Livingston

Dear sir

5 July 1779.

For weeks past that troublesome Monster Conscience has been haunting me "You forget Gov Livingston again you forget yr late penitential epistle." No—I forget neither—do'nt teize me I'll write as soon as I have somewhat to say—would you have me pester the Governor merely to tell him what he knows very well, that I am with the highest respect and esteem His Excellency's obliged and obedient Servant? "Well go on your own way Sir but depend upon it you'll soon receive another rap o' the Knuckles." Partly from this menace & partly from a higher consideration I have taken up the pen. But what shall I say? Shall I tell you Sir that Congress had the honor yesterday of assisting at Te Deum in the Romish chapel and that I saw there the only woman—what was I going to add? I forget. These are infirmities of old age to peep thro' spectacles at pretty women in Church and to forget them the next minute. Shall I say that I mean to dine at home to day at my own expense because I hold it an exceeding bad means of appreciating our paper money to give eight or ten thousand dollars for a dinner, and because I think my constituents are already sufficiently taxed and also because the Anniver-

sary of American Independance had been properly celebrated on the fine day by decent attendance morning and evening at Worship and occasional Sermons, to Say nothing of Te Deum and Music.

Shall I speak of the distresses or deliverance of my native country. I have no certain accounts of either, this must be the subject of another day. I will confine myself therefore to Finances and beg leave to submit to your Excellency's perusal copy of a letter which I transmitted about a fortnight ago to a friend in a neighboring state. The low ebb to which our money is reduced, the notoriously tottering state of our army are alarming circumstances and cry aloud upon the existing United States for their utmost exertions in aid of the measures adopted or to be adopted by their Representatives in Philadelphia or for dictating wiser measures. Upon a serious and full review of our public affairs I am led to beleive that the call of a grand council composed of men renowned for Integrity and Abilities from each state assisted by the Commander in Chief and a few selected General Officers to take under their consideration the state of the nation to sit either in or out of Congress (in the latter case to call upon Congress for every necessary information) would have an happy effect;¹ These Committees which we see rising every day are Epitomes of the work I have in mind, but however good their views and intentions may be their Authority is usurped and may become dangerous to the safety of the People. Gentlemen who should be sent from the several states for forming this Council would acquire a Knowledge of many important circumstances of which the states are now profoundly ignorant, from their representations wholesome coincident Laws would be enacted in each state, without which it will be impossible for Congress to proceed in the discharge of public business.

Your Excellency may ask why do not Congress intimate to the States the necessity for passing such laws? Sometimes it has been done and their recommendations almost totally neglected—or if the Laws were enacted Congress remain without information—besides to use facetious Sterne's exclamation "Lord thou knowest whereof we are made." The business of this Council might be begun and ended within two or at most three months, years and millions of money I apprehend would be saved by it. If this Sketch for reformation shall not meet Your Excellency's judgment, order us out of this sink of idleness and dissipation or order our doors to be opened that our Masters may discover what we leave undone. It is not expedient to say here every word which I might in private conversation but this I must say that our public affairs appear to me to be in circumstances truly deplorable and that much, very much, very much blame will light on some of the states whenever the day of reckoning shall come, and it will soon come unless some fortunate interposition from the chapter of accidents shall stave it off. Or finally be pleased

to give me your opinion of what ought to be done for opening a more comfortable prospect to the good People of America. I will not further trespass upon your Excellency's time but to assure you that I continue with the most sincere respect and esteem Sir &c.

H. L.

LB (ScHi: Laurens Papers, no. 16).

¹ Laurens had previously suggested the utility of convening such a "grand council" in the spring of 1778 when Americans were anticipating the arrival of British peace commissioners. See these *Letters*, 9:503, 508, 557.

Francis Lewis to Unknown

Dear Sir,

Phila. 5th July 1779

Your esteemed favor of the 26th Ultio. was delivered to me by Capt. Henry Benson, and being myself a member of the Marine Committee, I used all my Influence at the Board, to obtained for him an appointment in the Navy Department adequate to his meritt; But as several of our Frigates & armed Vessells have been either taken, or destroyed by the Enemy, and consequently many Senior Captains & Lieutenants upon the Navy list now out of Employ, the Board could not with propriety, or indeed without manifest injustice, appoint Capt Benson to a Command in preference of senior Officers, more especially as his Name is not entered upon the Marine List. Be assured Sir that when ever a proper opportunity offers I shall urge Capt Bensons appointment.¹

For some Weeks past, Common report has furnished us with flattering accounts from So Carolina, but none authenticated, I this moment learn that an Express from thence is arrived with dispatches, shall communicate their contents as soon as they are read in Congress. I understand from report, that both Armies are intrrenched within three Miles of each other, & that Genl. Lincoln's Tone is superior, but the former report of an engagement &c. was premature.

We have now cruising along our Coast four Armed Ships Vizt. the Confederacy, Boston, Deane Continental, together with the Genl. Green, State Ship, these being tolerably well manned, we entertanins sanguine that they will be an overmatch for three 20 Gun British Ships lately saild from Sandy Hook & cruising upon our Coast, we are also informed from the Eastward that the Warren, Queen of France, Ranger, & Providence Armed Ships, are also at Sea, should these Ships be so fortunate as to make a junction of *Force*, they will be far superior to any the British have at present on our Coast.

By Capt. Benson I send you the last news paper with the Resolves of Congress, which are now ordered to be published weekly, and which I shall in future furnish you regularly with, as also with every material transaction that may occur. I have the honor to be, with

great Regard & Esteem, Your most obedient & Very Humble
Servant,
Fra'. Lewis

RC (PHi: Gratz Collection).

¹ No evidence has been found to indicate that Capt. Henry Benson, who had carried letters from New York governor George Clinton to Philadelphia, ever received a Continental appointment. In 1776 Benson had served as a state deputy commissary general. See *JCC*, 5:852; and *PCC*, item 67, 2:198–99.

Marine Committee to John Beatty

Sir July 5th 1779

We wrote you the 2d Ultimo respecting Captain Gustavus Conyngham of the Revenge Cutter the receipt of which you have not yet acknowledged.¹ We want to know if you have received that Letter and what you have done in consequence of it. We have been told that Captain Conyngham has lately been sent off from New York for England the truth of which we desire to know and request you will inform us. We have seen your letter of the 20th June respecting Mr. Nicholas Ogden— it is our desire that you offer him in Exchange for Mr. James Willing now A Prisoner at New York.² We request you will write to us Shortly respecting Captain Conyngham. We are sir, Your hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ See Marine Committee to Beatty, June 2, 1779.

² No June 20 letter from Beatty is in PCC. As Washington was seeking the exchange of Capt. James Willing as late as 1781, the proposal to exchange him at this time for Nicholas Ogden apparently encountered obstacles. See Washington, *Writings* (Fitzpatrick), 22:22.

Marine Committee to the Eastern Navy Board

Gentlemen July 5th. 1779

Since our last of the 21 June we have received your favours of the 10th and 16th of the same.¹ With regard to the Packets mentioned in your first letter we expect they will shortly be wanted to carry despatches and we have already given you some directions respecting them. We approve of your having purchased the Brigantine Diligence for the Public service and doubt not you will have her fitted with all expedition. In the instance you mention with regard to your bringing forward Lieutenant Brown to the command of the Diligence or the Sloop Providence we approve of it, altho' at present we are of Opinion it might prove injurious to the service to bring forward Lieutenants in any general way to the exclusion of Captains in the service who are out of employ for want of Vessels. We are very

much pleased to find that the Providence, Ranger and Queen of France were ready for the Sea, and approve of the Orders given to the Commanders of those Vessels—we hope the Warren will shortly follow them. As Congress are endeavouring to make such regulations in the finances as will make the wages and allowances for Subsistence of all Officers more adequate to the necessary Expence, it is thought inexpedient at this time to encrease the Subsistence allowed by the Resolution of Congress of the 25th of July 1777.² We expect to have the case of the Ship Nancy Speedily determined³ & are Gentlemen, Your hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹The board's June 10 and 16 letters to the committee are in Eastern Navy Board Letterbook, NN.

²*JCC*, 8:581–82.

³See Committee on Appeals Decree, August 9, 1779.

John Fell's Diary

Tuesday July 6th [1779].

Commercial Committee. Congress. Several Letters Read; Afterwards the Order of the Day, relating to the Fishery, after debating in the Old track till near 4 oClock Adjourned.

MS (DLC).

Samuel Holten's Diary

[July 6–7, 1779]

6. Tuesday. Mrs. Clark & Dalley & all her boarders moved from 2d street in to front street, to Genl. Mifflins house. I wrote to The Honl. Mr. Palmer & The Honl. Mr. Gill, and to Mrs. Holten (No. 64).¹ A very warm day.

7. Wednesday, Majr. Rice A[ide] de con to Genl. Lincoln arrived with dispatches from the Genl.² But brought no new material.

MS (MDaAr).

¹Letters not found.

²Gen. Benjamin Lincoln's June 4 letter was read in Congress this day and referred to a committee consisting of Holten, Henry Laurens, and Henry Marchant. *JCC*, 14:807. For the committee's response, see Committee of Congress to Lincoln, August 13, 1779.

John Jay to Peter Wikoff

Sir, Philadelphia 6th July 1779.

I have the pleasure of transmitting to You herewith enclosed an Extract from the Minutes of Congress from which You will perceive that You are elected to the Place of Cloathier General.¹

As the Affairs of this department require constant Attention, I hope it will be convenient to You to enter on the Execution of this Office without delay.

I am Sir, Your most Obedient And Humble Servant.

LB (DNA: PCC, item 14).

¹ Wikoff and Peter Fell had been nominated for this post on June 22 and Wikoff was elected to it on the 24th. *JCC*, 14:757, 765. In response to a query from Wikoff, Jay explained in a letter of July 8 that a clothier general's salary was \$5,000 per year and sent him a copy of "an Ordinance for regulating the cloathing Department," but Wikoff declined the appointment the following day, stating that under current conditions the stipulated salary "will fall vastly short of defraying half of the necessary & unavoidable expences of living even in the most obscure private manner." PCC, item 14, fols. 145–46, item 78, 24:53–56; *JCC*, 13:353–57, 14:815.

Subsequently Lt. Col. Persifor Frazer also declined the post before it was finally filled by Col. James Wilkinson, for which see Jay to Frazer, July 17, and to Wilkinson, July 24, 1779.

Meriwether Smith to Thomas Jefferson

Sir Philadelphia, July 6th. 1779

I wrote to you on the 24th of June by Mr. de Francy;¹ since which I have recd. Advice that I am continued in the Delegation to Congress; But the Terms are such as are very injurious to my personal Interest and Honour; and I am not certain that I shall accept of the Appointment on such Terms.²

It is notorious that I have been concerned in Trade, for upwards of ten Years; and I could easily demonstrate that very few Men, in a Public Character in Virga. have made so great a Sacrifice of Interest as I have done since the Commencement of the present Troubles. I have not however been engaged in the Business of *Speculation*, as it is called. My Managers in Virginia have recd. Consignments from foreign Merchants & thence my profits arose. I have not even written a Letter to them on the Subject of Trade or given them any Advice since I left Virga.

I wish that *direct* Measures only had been taken to remove me from Congress, and that no Option had been left to me. It would then have been necessary for me only to evince to my Country the Rectitude of my Conduct whilst in the Service of it. But my Enemies, not content with attempting to displace me by a direct Vote, have availed themselves of a circumstance to procure a Law which either

removes me from Office or deprives me of a considerable Means of Subsistance. If I refuse to accept of my Appointment, I know the Use they will make of my Refusal to render me unpopular; and if I do accept of it, I shall add an Injury to those already done to my Children, which may be irreparable. Under these Circumstances, I must return to Virginia before the End of my Present Delegation, that I may consult with my Friends and take my Measures accordingly. I hope to be able to give the Genl. Assembly a clear & satisfactory Account of my Conduct, at their next Meeting.³ They will then perhaps be able to judge, whether my Views have been directed to other Objects than the Prosperity and Happiness of my Country, and whether I have merited the Treatment I have recd.

The Man who looks into his Heart & finds himself free from Guilt, gains Strength from Opposition, and by a firm and persevering Conduct will sooner or later prevail against it. In my Absence, My Enemies may attack my Character & Conduct; but the Time will come when I shall meet them face to face, and it will be well for them if I do not make them ashamed. I am with Esteem & Regard, Your most obedt. & most hbl servt.,
Meriwether Smith

RC (DLC: Jefferson Papers). Jefferson, *Papers* (Boyd), 3:28–29.

¹ Although Smith did write to Jefferson on June 24, he is undoubtedly referring here to his letter of June 25 in which he inquired about his continuation as a Virginia delegate.

² A slate of seven delegates, among them Smith and Cyrus Griffin, had been elected by the Virginia House of Delegates on June 18 for one year beginning November 1. The election, however, had been preceded by a political ploy of the Lee faction within the House designed to embarrass both Smith and Griffin. Between June 15 and 17 legislation was adopted requiring all delegates to take an oath that they would “not directly or indirectly engage in any merchandize, either foreign or domestick.” See Griffin to Burgess Ball, August 10, 1779; *Journal of the House of Delegates of the Commonwealth of Virginia* [May 3–June 26, 1779] (Richmond: Printed by T. White, 1827), pp. 49–52, 54–55; and William W. Hening, *The Statutes at Large; Being a Collection of All the Laws of Virginia*, 13 vols. (Richmond: J. & G. Cochran, 1809–23), 10:74–75. For the origins of antimerchant sentiment in Congress and the efforts to curb conflicts of interest by seeking the adoption of such oaths by state legislatures, see these *Letters*, 10:626–28; and George Frost to Josiah Bartlett, ante April 16, 1779, note.

In Virginia, Richard Henry Lee gloated over the probable effects of the legislation on Smith’s position in Congress. In a letter of August 7 to Henry Laurens, he inquired, “Pray Sir, do you know if my beautiful faced quondam Colleague has taken the Antecommercial oath directed by our Assembly?” And in a letter of the next day to William Whipple, Lee speculated that Smith would be “considerably hurt” and that the oath “would stick in the throat not from principal but from fear.” Lee, *Letters* (Ballagh), 2:103, 106. See also William Whipple to Richard Henry Lee, August 23, 1779.

³ For Smith’s appearance before the Virginia assembly “at their next Meeting,” see Smith to the Speaker of the Virginia House of Delegates, November 25, 1779.

John Armstrong, Sr., to George Washington

Dear General

Philada. 7th July 1779

Major Nichols having been Nominated by the Board of War as a Lieutenant Colonel in the Pennsylvania line, and afterward disappointed of that Rank by the judgment of a Board of Officers, has I find for some time past been indulging in himself that Spirit of resignation but too general in our Army at present. His better reflexion however has led him to observe that Several other Officers in the same or a Similar predicament have found themselves Obligated to Submit to the decision of that Board whereby his principal Objections appear to be alleviated & his natural wishes to return to the Service again excited. This temper encouraged by any advice I cou'd give, has produced the following resolution, that if agreeable to your Excellency to grant him a Brevet as Lt. Coll or any other mode whereby that Rank may be reserved to him, he will chearfully Serve as a Volunteer or in any other way your Excellency may think proper to point out, until the next vacancy. Nothing but the importance of the present labouring Service wou'd justify my asking a line in answer to the above, whereby Major Nichols may be determined—nor my farther hint for One to Captn. Kersley at Wioming, knowing as I do the numerous & heavy avocations of the present hour.¹ I heard a good discourse the other day on these words—Be not weary in Well doing for in due time you Shall Reap, if ye faint not. I am Your Excellencys unfeigned friend And humbl. Servt.

John Armstrong

[P.S.] This afternoon came Genl. Lincolns dispatches in to Congress which you will Soon enough See for all they contain. The best I can at present infer from them is that Charlestown is in no immediate danger—and the Worst, that the Enemy may get away if they please.

J.A.

RC (DLC: Washington Papers).

¹ In his July 13 reply to Armstrong, Washington indicated that Maj. Francis Nichols and Capt. Samuel Kearsley could not be reinstated in the Continental Army as they had resigned their commissions and other arrangements had already been made for staffing their former regiments. For aspects of these cases, see Washington, *Writings* (Fitzpatrick), 14:154, 15:96, 387, 417–18; and Armstrong to Washington, June 25, 1779.

Committee of Congress to Robert Morris

Sir,

Committee Room 7th July 1779.

I am directed by a Committee of Congress appointed to confer with the Portugu. Capt. Juan Garcia Duarte late Master of the Snow

Nossa Senhora de Carmo &c & with the Owners of the Private vessel of War the Phoenix Capt. Cunyngham, to request you will be so kind as meet the Committee this Evening at 6 oClock at the State House as they wish to Confer with you on that Subject.¹

FC (DNA: PCC, item 44). In the hand of James Searle.

¹ The illegal seizure of the Portuguese snow *Our Lady of Mount Carmel and St. Anthony*, Capt. Juan Garcia Duarte, by the *Phoenix*, Capt. Joseph Cunningham, had first come to the attention of Congress in October 1777, and had been reintroduced by Duarte in January 1779. Basically sympathetic to his grievances, Congress had essentially endorsed Duarte's claim in February but had nevertheless simply referred him for relief to the state of Massachusetts, where his ship had been brought to port. It was confronted with the case yet again on June 19, when Duarte appealed directly to Congress for payment of his claim in specie or bills of exchange, since he had found that he would otherwise receive devalued American currency and could expect settlement of additional damages to take years of litigation. Although the committee to which Duarte's memorial was referred brought in a report on June 26, Congress debated it only briefly before receiving another appeal from Duarte's agent John Codman, whereupon a second committee was appointed on July 5 "to confer with the memorialist, and such of the owners of the Phoenix as they may be able to meet with." It was against this background that that committee, consisting of James Searle, William Henry Drayton, Henry Laurens, James Lovell, and Henry Marchant, sent this note to Robert Morris, one of the investors in the privateer *Phoenix*, to confer on Duarte's claim. See these *Letters*, 8:201–3, 9:233–34; *JCC*, 13:78, 137, 158, 14:749, 777, 793, 803; and PCC, item 44, fols. 63–86.

Morris promptly responded that it was impossible for him to appear on behalf of the owners of the *Phoenix*, as he had no authority to do so, and referred them instead to Carter Braxton of Virginia who was "authorized to act for the whole." Undeterred, the committee proceeded with its investigation and on July 16 submitted a long report sharply critical of Morris and his associates and recommended that the states of Massachusetts, Pennsylvania, and Virginia assist Duarte in obtaining damages for the owners of the captured snow. Congress adopted the substance of these recommendations on July 21, and President Jay subsequently sent copies of Congress' resolves on the subject to the executives of the three states noted. John Penn's motion to reconsider the case was rejected by a vote of 9 to 2 on July 22. See *JCC*, 14: 838–42, 855–60; PCC, item 44, fols. 5–12; John Jay to Thomas Jefferson, July 26, and to Joseph Reed and Jeremiah Powell, August 2, 1779; and Henry J. Bourguignon, *The First Federal Court: The Federal Appellate Prize Court of the American Revolution, 1775–1787*, *Memoirs of the American Philosophical Society* 122 (1977): 96–97.

For additional information on the committee's work in drafting the report submitted to Congress on July 16, see William Henry Drayton's Draft Committee Report, July 10, 1779. According to John Fell, Congress debated this report on the afternoon of July 13, after a session in committee of the whole devoted to foreign affairs, but there is no mention of this debate in Secretary Thomson's journals. See John Fell's *Diary*, July 13, 1779.

John Fell's Diary

Wednesday 7th [July 1779].

Coml Committee. Congress. Letters from Mr Gerrard & Mr Holker referred to a Committee, Searle, Scudder & Lewis.¹ Order of the day on finance. Agreed to Commissioner[s] be appointed for the

Treasury Board, and to sundry other regulations in that department.

MS (DLC).

¹ For Gérard's memorials of July 5, see John Jay to Gérard, this day, note 1.

Samuel Huntington to Oliver Wolcott

Sir Philadelphia 7th July 1779

The great News of the Battle near Charles town comes to nothing at last, tho' it has been related in this City by many persons Some who declared they Saw the engagement & others who Said they were active in it.

By a letter from Col. Laurens to his father the late President, of the 10th June we are Informd, that the Enemy appeard before Charlestown, & Summond the Town to surrender, threatening to Storm it next morning if they refusd but on receiving for answer that they Should not Surrender but were ready for them as soon as they pleasd, the Enemy retired the Same night, & when the Letter came away were Entrenched on the main near Johns Island, with their Sick & Invalids on the Island, they were said to be Sickely & in want of flour & Spirits. I fear they may be Sufferd to remain in that Neighbourhood until they are reinforcd, but Some think the Climate at this Season will do the business for them.

Have just heard the Enemy are come down the North river leaving a garrison on each Side near Kings ferry, fear they may be trouble-Some Neighbours, hope Connecticutt may be preserved from their ravages this Summer.

We have no late Intelligence from Europe nothing late from our Commissioners tho' expected.

The State of our finances Seems the only Embarrassment in our public affairs, Congress Seem determind to put a Stop to further Emissions, & by loans & taxation for the present at least to obtain the necessary Supplies. Should the several States exert themselves, I hope we may go thro' this Campaign in that way.

You will See in the papers what further Resolution is passd relative to loans,¹ but in my Opinion the most Essential thing for giving any Stability to the Currency is to Stop the press.

I am Sir with Esteem, your humble Servt,

Sam Huntington

RC (CtHi: Wolcott Papers).

¹ Congress had resolved to borrow \$20 million through the Continental loan offices. See John Jay to the States, July 8, 1779.

John Jay to Conrad Alexandre Gérard

Sir,

Philadelphia 7th July 1779.

The memorials I had the honor of receiving from You were yesterday communicated to Congress.¹

The enclosed is a Copy of an Act recommending to the Governor of Maryland to permit the Ship Defence to depart, & carry her Cargoe to the place of her destination.²

The other matters mentioned in the Memorials are now under the Consideration of Congress. Whatever resolutions they may give occasion to shall be immediately communicated to you.³

I have the Honor to be Sir, With great Respect & Esteem, Your most Obedient, And Humble Servant

J. Jay

LB (DNA: PCC, item 14).

¹ Gérard had submitted two memorials to President Jay dated July 5, one of which was read in Congress on July 6 and the other on July 7. See *JCC*, 14:805–7; PCC, item 94, fols. 295–302; and Wharton, *Diplomatic Correspondence*, 3:237–41. Both memorials discussed obstacles encountered by Jean Holker in purchasing and shipping provisions for the French navy, the former seeking permission for the ship *Defense* to clear the port of Baltimore for Martinique, the latter seeking assurances that 5,000 barrels of flour could be immediately collected and held in readiness for the use of d'Estaing's fleet in September. For information on the problems raised by Holker's purchasing practices and the hostility engendered by suspicions that he and his agents were concealing private transactions under the guise of his commission as French agent of marine, see Committee of Congress to Holker, June 25, 1779, note 2.

² This day Jay also enclosed copies of this act with brief letters sent to Jean Holker and Maryland governor Thomas Johnson. See PCC, item 14, fols. 143–44; and *JCC*, 14:805–6.

³ For the continuation of difficulties between Holker and American officials suspicious of his purchasing practices, see Jay's letters to Gérard of July 30, August 3 and 5, 1779.

James Duane to Mary Duane

My dearest Polly

Philad. 8th July 1779

I have the pleasure to acquaint you that the Business which particularly detained me here is now drawn nearly to a Conclusion, and that the governour has promised as soon as the Legislature assembles to puruse my Leave of absence. I hope therefore that in a few weeks I shall have the pleasure of being with you, our Children & Friends; & on such Terms that will leave me free as to my future Conduct. For Surely if there is any Merit in long & faithful Services I have a Claim to Indulgence: and it was to inforce this Claim and get the Consent of the Legislature for my Return—in no small degree—that I have waited here so long. The Summer hither to has been pleasant and I have not sufferd from the Heat: you may be assurd that whenever it oppresses me I shall retire to the Trees in the

Neighbouring Country, where the Season is at all times tolerable, for nothing shall induce me to hazard my Health. My Friends assure me that I never looked better: I enclose you two or three Newspapers for your amusement. I wrote to you & enclosed a parcell last week under Cover to our Governour: but for want of Opportunity they were detained till yesterday: & then went by Lieut McLelon.

I beg you will present my most dutiful & affectionate Regards to our dear & honourd Father: Assure him that I have nothing to communicate worth his Notice but what he will see in the publick prints. To Mama & the other Branches of the Family present my affectionate Regards: and Kiss & bless our dear Children for me. Tell Sister R. C. Livingston that I spent last Saturday & Sunday at her Pappa's. All the Family & Neighbourhood were well. Her Papa has a very fine Harvest which is the Case of the Country in general.

Adieu my dearest Polly, & believe me ever, Your very Affectionate
& faithful Husband, Jas. Duane.

RC (NH: Duane Papers).

John Fell's Diary

Thursday 8th [July 1779].

Coml Committee. Congress. Sundry Letters from Major Gl Lincoln, Genl. Moultrie & Govr Rutledge, Referrd to a Committee. Letter and offer to Resign from Col Cox & Coll Pettit also Referrd to a Committee.¹ Report for fixing Sundry Prizes for the Army, to be considerd on Saturday.

MS (DLC).

¹ See John Jay to John Cox and Charles Pettit, July 9, 1779.

John Jay to Horatio Gates

Sir, Philadelphia 8th July 1779.

I have had the honor of receiving & communicating to Congress your Favor of the 23rd Ult. with the several Papers mentioned in it. They were immediately committed.¹

What Resolutions Congress may adopt relative to the Gentleman you recommend to their Notice is uncertain. His case merits attention & I assure You it would give me pleasure to see such Provision made for him as may be agreeable to your wishes, and consistant with the justice due to him.²

I have the Honor to be, Sir, Your most Obedient and Humble
Servant. John Jay, Presidt.

RC (NHi: Gates Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ For Gates' letter, which was actually dated June 26, and a number of enclosures concerning intelligence he had recently gathered at Providence, see *JCC*, 14:805; and PCC, item 154, 2:125–37.

² Gates had also enclosed a memorial to Congress from John Valentine Bancke, whose application for a Continental commission Gates supported, although noting that since Bancke spoke only German he probably could be usefully employed only in the corps of Casimir Pulaski. For the disposition of Bancke's case, see Jay to Gates, July 14, 1779.

John Jay to William Heath

Sir, Philadelphia 8th July 1779.

You will perceive by the copy of an Act of Congress of the 7th Inst, herewith enclosed, that You will retain your rank in the Army, but be paid only as a Commissioner of the Board of war¹. A Copy of the Resolutions establishing the Board, & defining it's Powers is also herewith transmitted.

I have the Honor to be, Sir, With great Respect, Your most Obedt. Servt.
John Jay. Presidt

RC (MHi: Heath Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ For General Heath's appointment to the Board of War, his inquiry concerning the duties of the position and his retention of Continental rank, and his decision to decline the appointment, see Jay to Heath, June 24, 1779.

John Jay to the States

Sir, (Circular) Philadelphia 8th July, 1779.

Herewith enclosed is a copy of an Act of Congress of the 29th Ult. for borrowing twenty millions of Dollars on the terms therein specified.¹

I have the honor to be, With great Respect, Your Excellency's most Obed Servt.

LB (DNA: PCC, item 14).

¹ This lengthy, eight-item resolve implemented a decision reached by Congress on June 11 for borrowing \$20 million at 6 percent interest to check the precipitous decline of the Continental dollar. Details of such a domestic loan had also been debated on June 14, 23, and 25, but the resolve of June 29 remained essentially a restatement of the resolve adopted on the 11th. See *JCC*, 14:717–20, 728–33, 760–63, 771–72, 783–85.

Henry Laurens to Robert Morris

to the Honorable Robert Morris Esquire

Sir, Philada. 8th July 1779

You who have with such "great reluctance venturd to claim the attention of your fellow Citizens" should have been tender of a fellow Citizen, who, as you have had occasion to know, feels, at least, a similar unwillingness to make an appeal in a Public News Paper.

In your Publication of this day,¹ you are pleased to hold me up in the Character of an Accuser, not indeed by name, but all the Members in Congress & every intelligent Man in Philadelphia, know to whom you allude. Men at a greater distance will be informed; various conjectures & judgements will follow, & I hold it to be not very honorable to a Gentleman to become an accuser of his Neighbor & fail in his evidence.²

You knew Sir when you were writing your address to the Citizens of Philadelphia, & you knew it many Months before, that I had not accused you that I had only related to Congress a conversation with one of your friends which had created suspicions of your conduct in the transaction of *that business* which you say "brought against you a very serious charge of a criminal nature in Congress."

I had uniformly renounced the Idea of being an Informer or an Accuser in a matter of which I had no other knowledge, than the bare communication which your friend had made & I had signified to you that when I related the conversation to Congress, I was not actuated by a desire to destroy your Character that I had prefaced the relation in the following terms or in terms to the same effect—"If the account which I have received be true the Public ought to be informed, if it be groundless Justice forbids that Mr. Morris should be kept in ignorance." This declaration which I imparted to you in January last & the candid part which you acknowledge I have since acted, entitled me to a little candor & a little more decency from you. Had I been in your place Sir, & you in mine I would long since have thanked you, not in terms of half reproach.

If you really beleive that Congress were perfectly & Unanimously satisfied with your conduct in that transaction, you deceive your self—there appeared 'tis true no proof against you of criminality but there were nevertheless more persons than my own clearly of opinion that the manner in which the business had been transacted, was, to speak in the mildest terms, highly improper.

Would you know the sentiments of our fellow Citizens in these States, Publish all the Papers respecting that transaction. I have Copies of them at your service. You & I may safely foretell what will be the Issue. Superficial readers will say "why this seems to be all fair enough." Men of business & discernment will more greatly declare—

"This is a very extraordinary & a very dangerous mode of disposing of the Public Money." I will add nothing harsh.

You content your self Sir, with wishing that every person connected with Public business had such accounts as *yours* to produce. Where shall I find the ground whence you derive this self satisfaction? Not in your declaration in Congress the 11th September 1778, respecting the Books of the Commerical Committee which had been always under your special direction & in your private possession about nine Months antecedent to that date.³ Not from the unliquided accounts of the Secret Committee which has been abolished near, or perhaps upwards of two Years. Not from the condition in which you returned the Books of both, to the late or present Commercial Committee in almost inextricable confusion; many more Months have since rolled over & I cannot learn that those Books are, even at this moment, in a state to be *boasted of*.

Not from your confession that the *proof* introduced by the Gentleman whom you very unjustly call an Accuser, had Escaped your self & the Committee. This proof should have been produced as the very Corner Stone of your justification & of their Report; it was the only paper that could have averted general Censure; without it, the Report of the Committee & all you could have said would not have satisfied our Constituents. The opinions of Congress would have been recorded in such terms as would have given you lasting pain.

The discovery of that Paper altho' it was not particularly incumbent on me to seek for it afforded me that satisfaction which a Man feels who knows, that to be honest & impartial towards every Man are duties due to himself.

Permit me Sir before I conclude to say—If you rank me among your Enemies, you do me great injustice, I acknow. that I have not approved of your general conduct in public business, it has in every instance within my knowledge been ambiguous—always wanting your own explication. I dislike the train in which the Commercial Committee's Books are at present—you would not do amiss were you again to submit the adjustment of them to any other hand & in any other House than your own, you once returned them after more Months effort, because they were "confused" although they had been the work of your own performance and direction.

I am, Sir, Your obedient huml Servt, Henry Laurens

FC (Sch: Laurens Papers, no. 23). In the hand of Henry Laurens.

¹ Morris' "publication of this day" was a letter "To the Citizens of Pennsylvania" dated July 7 that was printed in the July 8 issue of the *Pennsylvania Packet*. In it Morris had reviewed various "charges or insinuations" that had recently been leveled against him concerning his "accounts with the Continent," and had explained his relations with the Philadelphia Committee during its probe into his purchases of flour for the French fleet, investment in the polacre *Victorious*, and transactions in paper money and bills of exchange. Although Morris' letter actually dealt primarily with charges raised by the Philadelphia Committee, Laurens was almost exclusively preoccupied

with Morris' "accounts with the Continent," a subject in which he had been inordinately interested for nearly two years and which he doubtless felt Morris had misrepresented. It appears, moreover, that Laurens drafted this document for publication in the *Packet*, but no evidence has been found to indicate that he ever sent it to the *Packet's* printer, John Dunlap, or to Morris. Its significance, therefore, lies in its revelation of Laurens' beliefs and moods rather than in any impact it might have had on Morris or the American public.

Of the responses to his public letter that Morris did receive, however, one of the most gratifying was doubtless the following July 7 note from the French minister to the United States, Conrad Alexandre Gérard.

"I have perused with great satisfaction your address to the citizens of Pennsylvania, which you did me the honour to leave with me. All what refers to my Court in the transaction you relate is stated with the greatest exactness and I am ready and determined to support your conduct in this respect at proper times and places, in a measure constant with my public character and with the Justice which is due to your zeal for measures intimately connected with the most essential interests of the united states and of the Alliance. I have already taken some steps with Congress to this purport and as far as I can judge your address will convince your fellow citizens that your conduct deserves esteem rather than the aspersions which have been thrown upon it." Morris Papers, DLC.

For other aspects of the public interest in Morris' commercial transactions during this period, see also Committee of Congress to Jean Holker, June 25, 1779, note 2.

² Laurens' frustration at this time doubtless involved precisely this point, for despite the language of his denials below, he had indeed, on the floor of Congress the preceding winter, accused Morris of "fraudulent proceedings," which upon investigation had resulted in Morris' exoneration. For documents relating to this episode, see these *Letters*, 11:424-25, 430-35, 439-41, 447-55, 472-78. For an analysis of Laurens' behavior at this time, which concludes that "this affair and others in Laurens' career exhibit a strong tendency to pettiness," see Laura Page Frech, "The Career of Henry Laurens in the Continental Congress, 1777-79" (Ph.D. diss., University of North Carolina, Chapel Hill, 1972), pp. 390-91.

³ See these *Letters*, 9:23n, 151, 11:424-25.

Henry Laurens to Jonathan Trumbull, Sr.

Governor Trumbull,

8th July [1779]

I feel myself highly honored by Your Excellency's Letter of the 22d Ultio and much indebted for the indulgence you are pleas'd to grant me.¹

I will endeavour to make better returns hereafter, but six hours in Congress together with Morning and Evening Committees will plead some excuse for delinquency, which in general may be termed unavoidable.

Were you here Sir, or did you know all, that some of your friends here know, you would be less pleased with the aspect of Public affairs than you think you are.

The derangement which alarms you is the fruit of seed sown long ago—a want of harmony within, and of virtue and fortitude without Doors, are the obstacles which render it seemingly impracticable to eradicate the evil. I do not mean to arrogate to those within doors all the virtue and fortitude in the World, had they but a competent

portion, there would be more harmony among them—in a word my dear and venerable Sir, I look up to Heaven for relief, and am almost arrived at the point of exclaiming, vain is the help of Man! assured at the same time that Man will be made the instrument for working our deliverance. An Answer which I lately writ to an Address from a plaintive friend in a neighbouring State may perhaps satisfy Your Excellencys inquiries respecting our Currency and foreign connections &c, therefore I shall take the liberty of inclosing with this, a Copy and of refering Your Excellency to the contents.

The time is not yet arrived for congratulations on success in South Carolina, on the contrary, the circumstances of that forlorn State are to be deplored. The Printed Paper of the 29th May which will accompany this Letter, contains a succinct account of the Enemys proceedings from his crossing Savannah to that time—what happened since to the 10th June, is not important, a few skirmishes which have ended in our favor.

The impetuous Pulaski by indiscreet attack, which I believe is only hinted in the Newspaper, lost 60 or 70 of the little Corps of Men carried with him from hence.

It is said the Civil Council in Charlestown had voted five to three for surrendering on terms the Country to the Invaders, and I have seen two Letters which intimate that Count Pulaski and Colonel Laurens by great exertions prevented the intended effect. Why the name of Genl. Moultrie is left out, I cannot say, but I am quite sure the Measure met his utmost opposition, and I am highly pleased at finding that the *People* were equally opposed to it. I am informed by a very sensible friend under the 9th of June that there will be severe inquiry into the Conduct of those Councillors when the House of Assembly meets. But let us not censure the Council unheard, tis evident the terms were not acceptable to the British Generals.

The British Army consists of not more than four thousand Men, these occupy Johns Island and a part of the Main Land, having Stono River running between the Islands and their intrenchment on the Main. The Navigation to their Shipping, about 30 in number including four men of War, lies open to them. They may embark when they please, but I am of opinion they will wait for some reinforcement, attempt to reoccupy James Island which lies within three quarters of a Mile on the South face of Charlestown and from thence conduct a Bombardment while they make another attempt on the Works which have hitherto secured the City between Cooper and Ashley Rivers. The prospect I assure you Sir, is truly affecting. General Lincoln had not more than three thousand Men with him, about the same number were in Garrison, of these one half at least are undisciplined Militia fettered with families, and fatigued by service in an extreme hot Country.

Colonel Root had been taught to laugh at, and oppose me when I

represented to Congress some Months ago my apprehensions of the distresses which have fallen on that devoted Country. Connecticut Delegates should select proper Lodgings, but this between you and me Sir, as I mean to give no offence.

The Enemy are under disadvantages also, the Sun shines as hotly on an Englishman as on a Carolinian, heavy rains will hurt the former most—they have already a copious Hospital and desertion from their Army is rife. Here we will leave the subject praying the disposer of all human events to interfere in our favor. When I hear further from that Country Your Excellency shall be immediately informed.

I have the honor to be, With the greatest Respect & Esteem,
Sir Your obligd. & Obedt. Servt. HL

LB (ScHi: Laurens Papers, no. 16).

¹ A transcript of Trumbull's June 22 letter is in the Laurens Papers, no. 16, ScHi.

James Lovell to Samuel Adams

Dear Sir

July 8th [1779]

My Knowledge of Mr Brewer being here was but of this day in the midst of great Engagements, excessive heat and little health. Be pleased therefore to accept the News papers as the history of the rascally Conduct of some People whom you can name and as the Register of my Chagrin on the Score of Sth. Carolina.

The Enemy did not lie when they said the Council offered to surrender, the Vote was carried 5 against 3. But this ought not to be blazed; as many Circumstances alleviate the Conduct.¹ These you will shortly know. It is certain however that the People in general there resent the Conduct; and the Assembly will on meeting make severe Scrutiny.

It is to be feared that the Virginia & North Carolina aids and the Sth. Carolina Militia will all quit when their Times expire, which with some is now, with all the 15th of August. The Enemy, unless reinforced cannot carry the City even then being very sickly, the Foreigners in particular, Companies of the Latter of 35 being reduced to 17 already.

Past one o Clock by a Voice ten times worse than *your* Man's "Twelveenny Collock."

I cannot get the Maryland Paper. But Mr. Laurens will have the Peice reprinted to which I refer; tis a history of you & your Clubs by which a Minority mars all important Business.²

I am mounted, by Lot, up two Pair of Stairs with the poor Doctor. I most sincerely lament the Change from my little lower Room. There was Something humourous in the Lot wch. I will tell at Leisure.

You must give Mr. Avery all the Books marked 2 & 3. A Mr. May has yours and Mr. Averys & the other Gentlemen's which do not appear in the present Packet. I forget the dates of them. I delivered them two days ago, tho perhaps he has not yet left this City. I fear I shall not be able to write to Mr. Warren, the Presidt of Council, or the Comtee. of Merchants. You must see by the Writing that I am quite unwell or a very sloven.

J. L.

RC (NN: Adams Papers).

¹ See the preceding entry.

² Lovell was referring to a publication captioned "Extract of a letter from Philadelphia, dated June 24, 1779" and signed "O Tempora! O Mores!," which first appeared in the June 29 issue of the *Maryland Journal and Baltimore Advertiser*. It was reprinted in the July 9 issue of the *Pennsylvania Evening Post*, and in many other American newspapers.

Although authorship of the article remains clouded, Lovell expressed his belief that it had been written by former Georgia delegate Edward Langworthy, whom he also suspected of having written over the pseudonym "Americanus." See Lovell to Samuel Adams, July 10, 1779. The author clearly had detailed information on a number of matters pertaining to Congress but confessed ignorance of other issues recently considered by the delegates, which could be expected of a delegate, such as Langworthy, who had not been in attendance since mid-April. The range of his information and the interest that he attracted both in and out of Congress can be seen in the following extract from the essay, which is also available in full in *Deane Papers* (NYHS Colls.), 21:285-90. For Edmund C. Burnett's view of the identity of "O Tempora! O Mores!," and particularly his conviction that this article was the work of the writer who used the pseudonym "Americanus," see his essay "Edward Langworthy in the Continental Congress," *Georgia Historical Quarterly* 12 (September 1928): 224-31.

"Our present situation is truly alarming, and is briefly as follows:—A junto early formed in congress, have, by some means or other, contrived to keep their principal leaders, either actually in the house, or in some of the most important departments; and by acting constantly in concert, have at last brought it about, that a minority, and a small one too, can retard, delay, and even obstruct every proceeding. The foundation of this junto was laid during the sitting of the first congress. At that period, there were many real grounds, as well as some pretended ones, for suspecting New York, and one or two others of the middle States. This naturally led the northern and southern ones to unite the more strictly in the measures then pursuing, to obtain the great objects in view. It is not my intention to give you the history of this junto at present, but will only inform you, that for upwards of twelve months past, a club has been formed of certain of the delegates from New England, New Jersey, and this State, and of two or three members from the southward. They meet regularly, debate upon, and adjust the manner of their proceedings; and congress, at all times, being a fluctuating and changing body, these men, acting in concert, are able to keep back or obstruct any measure whatever, until, by the absence of some members, and the division of others, they can, with a small majority, carry the vote as they please. . . .

"You will justly be surprized, when I tell you that our commissioners at Paris appear totally ignorant of what is doing in either France, Spain, or England; for it is impossible they should be informed, and never write one syllable about it.

"But what must be your surprize when I assure you that Congress was informed, and that by two of their members, in writing, that the French minister had expressly declared, and wrote, that he could place no confidence in Mr. Lee, for he feared or suspected him, and those about him. What, I say, must be your surprize to find this party able, after this, to counteract a large majority of congress, and prevent his recall! It is well known this gentleman's former private secretary was of a very suspicious character; that after going several times privately back and forth from Paris to London,

he took up his residence in London, under the protection of the British Ministry; and that the man who succeeded him as Mr. Lee's secretary, was one *Ford*, a most infamous Tory, and refugee parson from London, whither he had fled from Virginia, to avoid the vengeance of his countrymen, and where he lived, like other refugees, until he went over to Paris, and entered on his secretaryship under Mr. Lee. You will hardly credit this, but they are facts, and have long since been well attested and laid before congress. By this one instance, you will be able to judge of the strength of this minority, and to what lengths they will go in promoting private views, and supporting of their party, family connexions, and interest. Were I to give you all the instances which have come to my knowledge of transactions of a similar complexion, and of the wretched deranged state of our finances and other departments; and also of the trifling subjects which have repeatedly engaged congress for days and weeks together, during the last important six or eight months, I should fill a volume, and might with great propriety entitle it, "*The Book of Lamentations*." But to lament, is to no purpose; and unless different measures are pursued, I dread the consequences. . . .

"In a word, unless this party and faction can be broke (for until it is, the same measures will be pursued) we shall be in danger, at least, of being ruined, and that suddenly by ourselves.

"You will communicate the contents of this to whom you think proper; but I fear, at this time, that the public at large should know even the truth in its full extent; and yet it is cruel to keep them in suspense and ignorance, whilst accumulated ruin is preparing to burst on them from every quarter.

"I will give you one instance with what industry this party, this select phalanx, conduct their manœuvres. The night before it was expected the question on Mr. Lee's recal was to be put, an express was sent off into Jersey, to call Dr. W[itherspoon], and Dr. S[cudde]r; Dr. W——n was alarmed at three o'clock in the morning, and set off instantly, to be in congress before the question should be put; and Dr. S——r, who lived more remote, followed the same day, each of them with as much expedition as if they had been flying before the enemy. They arrived in season, and by the paper sent you herewith, you will see how they voted. *O tempora! O mores!*"

Roger Sherman to Jabez Huntington

Sir,

Philadelphia July 8th. 1779

I received your letter of the 8th of May by Mr. Huntington, which I should have answered before now, but Mr. Hazard Surveyor of the Post office—who has the direction of the Riders has been out of Town and has not yet returned, as soon as he returns I shall apply to him upon the Subject mentioned in your Letter. We had a Letter from Genl. Lincoln dated the 4th of June, which came to hand yesterday, giving a particular account of the progress of the Enemy since they entered South Carolina, and their present Situation. They approached near to Charlestown the 11th of May but retired without making an attack or being repulsed in the manner that has been reported, there was a Skirmish wherein the Enemy lost about 40 men and our loss was about thirty. They are Encamped not far from Charlestown near Johns Island and our army under Gen. Lincoln within about 3 miles of them, the city of Charlestown is Strongly fortified on the Land side which is a narrow pass between two large Rivers. You will Soon have a more full account in the Newspapers.

Congress has Granted the 150,000 heretofore lent to the State to be charged to account without Interest, to be applied for the recruiting Service—have also Ordered 200,000 dollars out of the State Treasury for clothing our Troops.¹ That part of the application respecting the allowance of continental Pay and rations to the forces raised for the defence of the State, has not been reported on by the Board of Treasury. The Gentlemen of the Board seem to think it reasonable and I suppose they will report a General regulation to extend to all the States. We have no late news from Europe.

I am very respectfully, Your humble Servant,

Roger Sherman

Tr (DLC: Burnett Papers). Burnett made this copy, in the 1920s, from a now missing MS in the "Wolcott Papers, Bundle 2," MHi.

¹ JCC, 14:802

Committee for Foreign Affairs to Benjamin Franklin

Honble. Sir

July 9th. 1779

I send by this opportunity Journals & Gazettes with some Letters which were to have gone by Way of Martinique some time ago with others that I hope will reach you by that channel. I add a compleat Set of Journals as far as they are printed vizt. 1st Vol, 2d Vol & from Jany. to June 12th. this year with 2 Spare Pamphlets of Nos. 2, 3, 11, 12 to make those already sent compleat.

Perhaps I may have the honor of writing again before the Vessel sails out tho she is now falling down.

Your most humb. Servt.

James Lovell

RC (PPAmP: Franklin Papers). Written and signed by James Lovell.

John Dickinson's Proposed Resolutions

Resolved

[ante July 9, 1779]¹

1. That three Commissioners be appointed & authorized by the Legislature of each State to contract for & provide all such Supplies as have heretofore been contracted for & provided by Quarter Masters & Commissaries—and to order on the Execution of their offices on the first Day of August next.

2. That the said Commissioners be vested with proper Powers for collecting, storing, securing, & removing such supplies by Land & Water, so that they may be in the safest, easiest & most effectual Manner applied to public Use.

3. That the said Commissioners in each State may with the Approbation of the Executive powers of the State but not otherwise employ three or more Deputies if necessary to assist them in discharging the Duties of their Office.²

4. That each of the said Commissioners & Deputies shall before he enters on the Execution of his Office, take the following Oath before some Justice of the peace—

“I A.B. do swear, that I will to the best of my skill & knowledge diligently and faithfully execute the office of Commissioner (or—Deputy Commissioner as the Case maybe) for this State, and therein endeavour to the utmost of my Ability to promote the service of the United States of *America*, that I will not during my Continuance in the said Office engage in or carry on any kind of Trade or Traffic whatever, nor make or endeavor to make directly or indirectly any other or greater profit, Emolument or Advantage whatsoever by the said Office or by Virtue of the powers vested in Me for the Discharge of it, than what is or shall be allowed to Me by the United States or by this State.”³

5. That to ascertain the Duties of the said Commissioners, the Quarter Master General & Commissary General shall transmit early Intelligence to the Board of War & so from Time to Time as Circumstances may require,⁴ of all the particular Articles of Supply & specifying the sort, the Number or Quantity & the Quality thereof in their several Departments, which will be necessary, and when & where the same will be wanted; whereupon that Board shall immediately give such orders to the said Commissioners or some of them, as shall be most expedient for promoting the public Service.

6. That the said Commissioners shall every Month render to the Board of War and also to the Executive powers of the State by which they are appointed, An Account of all their proceedings particularising all the Vessels, Boats, and Carriages employed, the Time they were employed, of the Names of the owners, and regular Returns of all the articles of Supply with the Names & places of Abode of the persons from whom & the Days on which they were purchased, exactly mentioning the sorts, the Number or Quantity & the quality thereof then in Stores or Magazines, & the situation of such Stores or Magazines, and shall pay Obedience to all such Orders as they shall from Time [*to Time*] receive from the said Board concerning such Supplies.

7. That the Commissioners of every State shall on every Barrel of Flour, Pork & Beef, & upon every other Package of Supplies,⁵ brand or inscribe in such Manner that the sign cannot be rubb'd out, their Christian & surnames at full Length, plainly & legibly, with the Title of the State where they reside.

8. That for expediting the Conveyance of such Supplies to the places where they may be required, the Commissioners of each State

be authorized and directed by the Legislature thereof, whenever a Passage through the same may be expedient, to receive on due Notice Supplies from the Commissioners of any other State, & to convey the same towards the place where they will be necessary for the public Service, in the same Manner as if they had been at first provided therein, which Commissioners are to give Receipts to those delivering such supplies, mentioning the sort, the Number, or Quantity of and the Quality of the Articles so receiv'd.

9. That the Quarter Master General, Commissary General, and their Deputies attending the Army or any Detachment, shall give all the Assistance in their power for conveying supplies to the Army or such Detachment—upon receiving them shall give Receipts as aforesaid.⁶

10. That each of the said Commissioners be allowed for his Services Dollars per Month, and each of the said Deputy Commissioners Dollars per Month.⁷

Emergencies

On comparing the Accots of purchases in the sevl. States the Board of Treasury shall make out the Average prices of the sevl. Articles—and each State shall be credited for all savings made by purchasing Articles under the Average prices, & debited for what is given more than the Average prices for the purchase of Articles of supplies in such States respectively.

And the States shall be credited for the Expences incurred in purchasing supplies in proportion to the Quantity of the supplies purchased in each respectively—and any greater Expence incurr'd in purchasing the same shall be defrayed by that State respectively in which the same was incurr'd.⁸

Laws to be made by the several States for obliging the Inhabitants to part with their produce to the purchasers, the prices to be regulated by the Legislatures of the sevl. States within *one Year* and then to be paid.

Q. as to Live pork?

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson.

¹ These resolutions appear to be an early draft of a report made to Congress this day by the committee appointed on May 28 to consider reforms in the various boards and departments, for which see Dickinson's Committee Notes, June 7, 1779. Only a few of Dickinson's suggestions, namely parts of the fourth, sixth and seventh articles, were actually incorporated into the report as finally presented. See *JCC*, 14:804, 809, 812–15; and *PCC*, item 28, fols. 163–70. For another aspect of Dickinson's work on this subject, see Dickinson's Notes, ante July 23, 1779.

² In the margin beside this paragraph, Dickinson wrote: "Removable at Pleasure of Executive power."

³ In the margin beside this paragraph, Dickinson wrote: "To have no Wag[on], Boat &c in Service," and "[Q]uestion] of Relations?"

⁴ At this point in the MS Dickinson wrote in the margin "[Q]uestion]. Whether this

Mode or leaving them to the Direction of the Q.M.G. & C.G. as if they were Deputies appointed by them is preferable?"

⁵ At this point in the MS Dickinson wrote in the margin: "See P. Laws about marking Flour Casks," apparently concerning the laws of Pennsylvania.

⁶ In the margin beside this paragraph, Dickinson wrote: "If they are to be under orders of the Q.M.G. & C.G. then this Clause must be altered."

⁷ In the margin following this passage, Dickinson added the two following queries: "Q. What Alterations to be made as to Q.M.G. & C.G. & their Deputies in their pay &c?" "Q. The propriety of not permitting the People of one state to go into accot. to buy up provisions unless for the immediate Use of the purchasers?"

⁸ In the margin beside this paragraph, Dickinson inserted the three following queries: "Q. If some Ratio must not be struck by the Treasury for this purpose?" "Q. also if this will be equitable, as greater Expences must be incurrd in States distant from the army in storing provisions & in transporting them than in those near to the army?" "Q. If it may not equitably be confined to Expence of Officers in greatest Numbers than in other States."

John Fell's Diary

Friday July 9th. 1779.

Commercial Committee. Congress. This day was spent on a Report, relating to the Quarter Master and Commissary departments &c. Mr Wm C. Houston a delegate from New Jersey, took his Seat in Congress to day.

MS (DLC).

John Jay to John Cox and Charles Pettit

Gentlemen

Philadelphia July 9th 1779.

I have the honor of transmitting to You herewith enclosed, a copy of an Act of Congress of yesterday respecting your continuing to discharge the duties of Assistant Quarter Masters General, until further Order be taken on your Letter of the 7th Inst which hath been referred to a Committee.¹

I am Gentlemen with Respect & Esteem, Your most Obedient Servant.

LB (DNA: PCC, item 14).

¹ Congress' July 8 resolve postponing a decision on the request of Cox and Pettit to resign their posts as assistant quartermasters general to avoid payment of a substantial tax recently imposed on them by the state of New Jersey, had its origin in their memorial to Congress of June 16 and a supporting letter from Quartermaster General Nathanael Greene of June 24. *JCC*, 14:744-45, 779-80, 787, 807-8, 810; and *PCC*, item 41, 8:72-74, item 155, 1:139-42, item 192, fols. 237-38, 241-44. This effort by New Jersey to tax quartermasters, Congress' refusal to assert Continental authority to protect its agents from the state's discriminatory tax, and the delegates' continued inability to check the deterioration of the economy and the Continental Army's supply system are discussed in Risch, *Supplying Washington's Army*, pp. 49-53.

John Jay to George Washington

Sir

Philadelphia 9th July 1779

I have been honored with your Excellency's favors of the 27th ult. & 1st Inst. They were committed.¹ Peter Wickoff Esqr. has been appointed Cloathier General, and will I hope soon enter on the Execution of that Office.²

Herewith enclosed is a Copy of a Letter from Governor Rutledge to the Delegates of South Carolina of the 9th Ult—of one from General Lincoln to Congress of the 4th Ult—and of an act of Congress of the 6th Inst. making further Provision for Sub & Brigade Inspectors.³

I have the Honor to be with the greatest Respect & Esteem, Your Excellencys most obedt Servant,
John Jay, Presidt

RC (DLC: Washington Papers).

¹ *JCC*, 14:803–4. Washington's June 27 and July 1 letters are in PCC, item 152, 7:423–30, 439–41, and Washington, *Writings* (Fitzpatrick), 15:328–32, 346–47.

² In his June 27 letter to Congress, Washington had complained: "I am at a loss to know to whom I am to address myself, as head of the Clothier's department. Every deputy seems to act by a separate and independent authority." For the difficulties Congress experienced in filling the post of clothier general, which both Peter Wikoff and Persifor Frazer declined to accept, see Jay to Wikoff, June 6, 1779.

³ See *JCC*, 14:805, 807. Neither John Rutledge's letter, which elicited a July 8 resolve appointing "a standing committee. . . to correspond with the commanding officer in South Carolina and Georgia" nor Benjamin Lincoln's letter, which was read on July 7, are in PCC or the Washington Papers, DLC.

Massachusetts Delegates to the Massachusetts Council

Sir,

Philadelphia July 9th 1779

We received in due time the Honor of your Letter of June 10th,¹ which we should have acknowledged earlier, but were drawn on from day to day by the Hope of getting a proper Opportunity for obtaining the Sentiments of Congress upon the Points which are so essential in the Settlement of Accounts between the State of Massachusetts Bay and the Continent. Such has been the Course of Business here that we can yet only inform you we shall omit no favorable Hour for bringing on a Decision agreeable to Instructions from the Honorable Assembly in Behalf of which you wrote: And we think the Course of the War to the southward will tend much to excite a general Sense of the Equity of making a continental Charge of those Expences mentioned by you which have occurred frequently hitherto only in the eastern & middle States.

Your Letter of Feburary 10th was referred on the 5th of March

partly to the Marine Committee and partly to the Board of War.² We shall move for a Reference of that now before us to the same Board and shall promote a speedy Report.

We present our Duty to the General Assembly, and are, with Esteem, Sir, Your most obedient, Humble Servants,

E. Gerry

James Lovell

S. Holten

RC (M–Ar: Revolutionary War Letters). Written by Lovell, and signed by Lovell, Gerry, and Holten. Addressed: “The Honorable President of the Council of Massachusetts Bay.”

¹ The Massachusetts Council’s June 10 letter to Samuel Adams, seeking reimbursement from Congress for compensation of Massachusetts soldiers that exceeded Continental levels, was read in Congress on July 12 and referred to the Board of War. See *JCC*, 14:819; and PCC, item 65, fol. 396.

² The Massachusetts Council’s February 10 letter, which is in PCC, item 65, fols. 382–84, requested support for Massachusetts soldiers not included in the state’s 15 Continental regiments and asked for vessels to patrol the state’s coastal waters. *JCC*, 13:274, 316–18.

Gouverneur Morris to Joseph Reed

Dr Sir

[July 9, 1779]

After what passed between us at the State House I should not have troubled you again on the Subject but that I am informed the Letter in Question (which I am thoroughly convinced you never saw) is now in the possession of Council.¹ It is I beleive the only one I ever wrote to him and is in Answer to one he had written to me. The Date of it will readily account why you should not have sought after or seen it. The Attack made on me renders me desirous of having the Letter this Day if possible. I am very sorry to trouble you so much on this Occasion. I was informed of the Inquiries made and your Answer for which I beg Leave to assure you I have a proper Sense. I take this Opportunity to thank you for it. If I had been treated with equal Candor by many who owed me more I should not give you the Pain of reading this Letter. I beleive if you ask the Secretary of the Council or the honorable Mr. Gardiner the Letter from me to Arnold will be found without Difficulty or Loss of Time. My application to either of them might not have been refused.

I am very respectfully²

FC (NHi: Reed Papers). In the hand of Gouverneur Morris though not signed, and addressed by him: “His Excellency Joseph Reed Esqr. President of Pensilvania, Market Street.” Endorsed: “Gouv Morris to Mr. Reed. Philad July 9, 1779.”

¹ The letter from Morris to Benedict Arnold alluded to here has not been found,

but for the conflict between Morris and Reed that had been simmering for some time, see Morris to Reed, April 9 and 25, 1779.

² At this point the following words were added in an unidentified hand: "Sir Yr. Most obed, Gov. Morris. Signature and close [. . .] E. D. Ingraham."

Gouverneur Morris to Benjamin Towne

Mr. Printer,

[July 9? 1779]¹

In one of the publications under the signature of Common Sense is this very trite and common though just observation, "an anonymous detractor is the serpent of society;" how much more he that detract merits, who boldly obtrudes his person upon the public view, it is his to determine. The palm of matchless impudence shall be his, and he may boast unrivalled the contempt of shame. Any man who reads the story of a worthy citizen whose ease, health, and pleasure having been sacrificed in the public service, is prosecuted and persecuted by beings who owe security to contemptibility, and importance to malevolence, will feel the emotions of honest indignation. His astonishment will be equal to his indignation that bold assertions, without evidence to support them, and dark insinuations devoid of probability, should for a moment turn the tide of popular opinion against the friends of mankind. Should we hear that some faithless Carthaginian had taken refuge in Rome from the justice which pursued his debts or his crimes; that having vainly opposed the measures taken for public liberty and safety, at once a sudden convert he had mouthed at Hannibal, and bellowed out for Fabius. That wormed into notice by a talent for abuse, he had been raised to a confidential office by a faction who laboured to undermine the great Fabius himself, the Saviour of his country. That to forward the views of his patrons, and promote the interests of his natal Carthaginian soil, he had betrayed the confidence reposed in him. That he had wantonly wounded the fairest character, branded the firmest patriots with the imputation of sinister views, and charged the generous and disinterested with an inordinate thirst for dishonest and disgraceful gain; that he had endeavoured to spread far and wide doubts and suspicions of the senate, to sap the confidence of the Romans, to weaken their councils and distract their views. That when chosen a tribune of the people, he had laboured to keep even bread itself from the army, under pretence of a public scarcity, and thus to leave the country a prey to her foes; and that notwithstanding all this the Romans should listen to, and confide in this man, this faithless Carthaginian. Should we, I say, hear these things, what should we think of the Romans? Change but the name, my countrymen, and the story is told about you. The Romans were an honest unsuspecting people, and so are the Americans? Who was an Englishman?

Tom P——.² Who was a Tory? Tom P——. Who wrote the Crisis, and abused Howe? Tom P——. Who was made secretary to the committee of foreign affairs? Tom P——. Who recommended him to that office? ——. Who betrayed state affairs? Tom P——. For whom did he betray them? ——. Who has traduced the tried friends of America? Tom P——. Who has endeavored to raise suspicions against congress? Tom P——. Who was made a committee man? Tom P——. Who proposed a resolution to the committee to prevent supplies from going to the army? Tom ——. Who maintains Tom P——? Nobody knows. Who is paid by the enemy? Nobody knows. Who best dese[rv]es it? Tom P——.

I have long been a spectator of the calumnies thrown out against some of the best and fairest characters on this continent, and beheld their silence with astonishment. I could attribute it to nothing but the consciousness of innocence, or the timidity of guilt; prone to think charitably on the one hand, but deeply alarmed on the other, I waited the evidence which could justify such assertions. It did not appear; but instead of it new and accumulated charges were made, and they were received with the same contemptuous or callous insensibility. I set myself to inquire into the private characters of the gentlemen traduced, and I found them to be directly contrary to the allegations made. Upon publishing the journals of congress, I find that such of them as are members of that body, have preserved a conduct totally different from that which had been attributed to them. I again examined the various publications, to discover, if possible, some foundation on which these high wrought charges could be supported. My search was in vain, unless indeed I was disposed to take assertion for proof. I then drew a comparison between those who made the assertions, and those against whom they were made; and if property, probity and honor, with an unshaken perseverance in our righteous cause, through the most gloomy prospects and distressful circumstances, if these things are of any weight, the balance is clearly in favor of the accused. If these things can be admitted, as pledges to our country for the fidelity, the attachment and the zeal of her citizens, if these can form a shield against the shafts of detraction, those shafts must fall blunted to the earth.³ Being therefore fully convinced of their integrity and innocence, and being convinced that not only from justice but also from interest the public ought to cherish those servants, whose talents have been eminently useful, I cannot do better than unravel from time to time motives and views, the knowledge of which will enable the world to read writers as well as writings. I shall not attempt to defend any man or measure that does not deserve to be defended, and if in the course of what I shall say, those are dragged out who now lie behind the curtain, they must thank themselves for it. Let the dogs be silent, or the huntsman shall appear.

In Hall and Seller's Gazette of the thirtieth of June, there are two papers, the one signed Common Sense, and the other Tiberius Gracchus, both of them levelled at a member of congress, supposed to be the author of a paper signed Americanus, both of them founded on a supposition that he had contended for excluding America from the fisheries. If this gentleman has meddled in the government affairs of Pennsylvania, let him answer for himself.⁴ But he and every other our representatives in congress has a right to expect protection from the virtuous Whigs of America, while in the execution of his duty. I have reason to believe and authority to say, that the hon. mr. Morris was not the author of the piece signed Americanus, and neither saw it, heard it, or knew of it before the publication; that neither he, nor any other man now in congress ever held up an idea of ceding to Great Britain, or any power on earth, the right of fishing; and I call upon those gentlemen for the proof, if any they have, to contradict me, in order that the man or men, who shall have wantonly or wickedly misrepresented the debates of that honorable body, may be held up to the reproach they justly merit. The insinuation against that gentleman with respect to our finances is equally ill founded, and the minutes and the members of congress cannot but bear witness to his zeal for private justice, and to promote the public interests. Those who advanced their money to the United States in the hour of danger and distress, when to so much greater private advantage they might otherwise have employed it, are bound to a grateful acknowledgement of his exertions in their favor; and as far as America may derive credit from the reputation of honesty and fair dealing, so far will she feel an equal obligation. Alike unfair and far more despicable is the insinuation against another member of that honorable body. To whom is our country most indebted? Is it not to those who risked most for her salvation? Those, who could suffer much and gain but little by the contest, exhibited real patriotism, but where is the merit of those, who safe in insignificance could loose nothing in the storm, and might even hope for a share of plunder in a general shipwreck,⁵ who might be raised into importance by a turbulency of spirit, and satiate the lust of power by embarking on a troubled ocean? Is there a man among us whose consequence is derived from the calamities of his country, and though she should be plunged in inextricable debts to gratify private ambition, hath a certain exemption from the common calamity? Who can pay nothing, because he has nothing to pay? *Timothy, art thou that man?* If thou art, then be thou the advocate for war! For inexpiable war! But can you, my countrymen, who feel the weight of it, whose toil, whose riches, and whose blood, must be expended to support it. Can you wish to prolong its distresses, to renew the cries of the orphan and the widow, to increase the number of those who groan in captivity, to add weight to their chains, and aggravate the afflictions of the afflicted.⁶

From the moment that the question of the fisheries became a public topic, my curiosity has been excited to examine it. Great authorities appear on either side. One party contending that a nation may lawfully hold them exclusively; the other, that all nations have an equal and common right. Different nations have patronized the different doctrines. England hath maintained the former, and Holland the latter, for more than a century. Much ink and much blood have been spilt upon the occasion; but after all it remains, as such things usually do, quite undecided; and the arguments of either party are made use of as best suits the interests and conveniency of states. I am firmly persuaded that the God of nature intended the large fisheries, now alluded to, as a common benefit to all his creatures; and in this persuasion, I do not hesitate to affirm that it would be a species of treason ever to give up, in the most distressful situation of our affairs, a right so important to America. And if after a peace Great Britain should disturb us in the exercise of that right, I conceive such disturbances to be among those lawful causes of war which would justify us in a declaration of it, and in calling upon our allies to assist us.

It is absurd to suppose that Great Britain would insist on our renouncing this our claim of right. It would be both impolitic and unjust. It would be the downright Popery of politics, which not content with the free enjoyment of its own opinions, would force an assent to them from the rest of mankind. But would it be wise in us, after Great Britain, shall agree to acknowledge our independence, which on our own principles necessarily involves the common right of fishing; would it, I say, be wise or politic to refuse the offer, and to carry on still farther this destructive war purely to compel the king of Great Britain to renounce the heresies contained in the works of Selden and other such writers, and avowed, declared, and maintained in divers public acts of the said king and of his predecessors, to force from him a confession that the doctrine of exclusive right to seas, banks and fisheries, is erroneous, impious, and absurd; to oblige him to retract all such aforegone declarations, and in the most clear, positive, and express terms acknowledge that America and all other nations have a common right to take fish in those places in the seas which he hath heretofore claimed as his own. Motives of interest and policy would undoubtedly prevent Great Britain from commencing hostilities by plundering our fishermen; but motives of pride, and what she calls national honor, would equally prevent her from making the desired acknowledgment.

As to the calling on our allies to prosecute the war with us for this end, I cannot think it so clear as some gentlemen seem to do, that they would incline to it. We should think it very ridiculous if the most Christian king should require us to carry on the war until his brother of England should renounce the title of king of France. Perhaps it would not appear much more wise to the French ministry,

should we require them to carry on the war until he shall renounce the claim to be king of the fishing banks.

If there be on earth an undoubted indisputable right of individuals or of nations, certainly it is the right of private opinion; and so long as opinions are not accompanied with injurious acts, it is at best but an absurdity to contest them. Here then stands the question. Is it just or prudent to continue the present war, in order to compel Great Britain to acknowledge that we have as good a right to the fisheries as she has? Is it probable that other nations will stand by and see these thirteen great and powerful states maul and pummel the two little weak and insignificant islands of Great Britain and Ireland, until she makes such acknowledgment; an acknowledgment which, consisting of mere words, would neither validate our claim, nor secure us in the peaceable exercise of our right? Certainly it becomes those either in doors or out, who maintain this doctrine, to provide solid arguments and powerful fleets.⁷ Until this be done, neither Common Sense, nor Uncommon Sense, Tiberius Gracchus, nor Tiberius Nero, shall ever persuade me to be of their party. Nor do I believe that invective, abuse, or any other the embellishments which adorn their oratory, can persuade the citizens of these United States to desert those whose firm councils have gained applause abroad, and merited confidence at home, while they prudently labour to fix the great object of American independence, and establish that peace, liberty, and safety, which are the objects of the present contest. And however it may suit the factious views of some men to continue the war, or whatever hopes they may entertain who expect to ingratiate themselves with the common enemy, by sowing dissensions among us, and diminishing the respect which is due to congress, you, my dear countrymen, are too wise and too honest not to discern your friends from your foes. Examine for yourselves, determine for yourselves, and let those feel your resentment who deserve it.

CATO.

Reprinted from the *Pennsylvania Evening Post*, July 9, 1779. MS (NNC: Morris Collection). In the hand of Gouverneur Morris. Morris' surviving draft consists of the last seven pages of a nine-page MS. Omissions and major discrepancies between Morris' draft and the printed copy are noted below.

¹ Morris' draft is undated. This date is merely that of the issue of Benjamin Towne's *Pennsylvania Evening Post* in which it appeared.

Morris was responding to an essay written by Thomas Paine, over his famous pseudonym "Common Sense," dated June 26 and printed in the June 30 issue of the *Pennsylvania Gazette*, in which Paine had attacked a recent letter by "Americanus" denying American claims to the northern fisheries. In addition to rejecting the argument that Americans could be excluded from the fisheries, Paine also had hinted that "Americanus" was a member of Congress from New York, and as such had betrayed the interest of his constituents and deserved their "severest censure." Hence Morris' response, cloaked under the pseudonym "Cato": "I have reason to believe and authority to say, that the hon. mr. Morris was not the author of the piece signed Americanus, and neither saw it, heard it, or knew of it before the publication."

Paine's attack on "Americanus" was the first of a series of three such letters (dated June 26 and July 12 and 17), and it elicited rejoinders by critics other than Morris. For one of these, by another delegate to Congress, see Thomas Burke's "Epistle," July 16, 1779. The three essays attacking "Americanus" are conveniently gathered in Paine, *Writings* (Foner), 2:188–208, where they are placed in the context of Paine's prolonged struggle with Silas Deane and his allies.

In addition, Paine responded to the present attack by "Cato" in a brief letter printed by Benjamin Towne in the July 16 issue of the *Evening Post*. In that response, he acknowledged his authorship as "Common Sense," denounced those who "dare not own" what they publish, reprinted his July 26 letter from the *Pennsylvania Gazette*, and boldly appended his signature "Thomas Paine." For Morris' rejoinder to this response from Paine, see Gouverneur Morris to Thomas Paine, July 24, 1779. For discussion of the original "Americanus" essay that led Paine into the public debate over the fisheries, see Henry Laurens' Notes of Debates, June 19, 1779, note 4. See also Max M. Mintz, *Gouverneur Morris and the American Revolution* (Norman: University of Oklahoma Press, 1970), pp. 122–24; and the many documents discussing the fisheries issue in these *Letters*.

² That is, Thomas Paine.

³ Morris' draft contains the following passage that was omitted at this point in the printed letter.

"To discover then I made myself acquainted with the writers & for the Honor of human Nature I shall conceal the Weaknesses and Wickednesses which guided the Pens of some among them. Conceiving that the Torrent had spent it's Force I was willing to appear upon the public Stage knowing as I do my own Inability to contend with such adepts in the art of Railing but finding the Attack is again to be renewed."

⁴ The following passage from Morris' draft was omitted at this point in the printed letter.

"I hope he may be able to assign virtuous Reasons for his Conduct because I respect his Character as an able Delegate and honest Citizen and if he cannot let the Resentments of the constitutionalists of Pensylvania pursue him."

⁵ Morris' draft varies somewhat at this point and contains the following alternative passage: "What merit hath he for embarking on a troubled Sea or adding Disquietude [and] Turbulence to these turbulent and unquiet Times? Such Man must know that when Peace and order again smile upon his Country his Consequence will decay. But should she be plunged in inextricable Debts to gratify private Ambition hath a certain Exemption from the common Calamity who can pay Nothing."

⁶ The following passage from Morris' draft was heavily revised in publication.

"Ever Since the Question of the Fisheries hath become a publick Topic I have sought for Arguments to support our claim. I find it laid down among the Civilians that fishing Banks may rightfully be held as Property by those who have Force to exclude others and they Instance the Pearl Fisheries which are actually claimed and held in exclusive Right. I find it also laid down among some few of them that it is unjust to exlude any Men from a Participation in the common Gift of Nature such as Air & Water or the Birds which flie and Fish which swim in those Elements. I find that Disputes have arisen on this Subject among Nations and altho there has been much Writing and some fighting about it the Point still remains to be settled. As an American I am of Opinion that America has with all other Nations a common Right to take Fish upon the fishing Banks &ca. and this Right is of such Importance to her that I think she ought never to give it up and if after a Peace Great Britian should disturb us in the Exercise of that Right and after proper Remonstrances made withhold Redress I think we ought to go to war and call on our Allies to help us. On the other Hand tho Great Britain may be very willing to avoid a War with us on this Subject and therefore will probably never interrupt our Fisheries, Yet as she hath constantly maintained a Claim to the Exclusive Right and much of her Policy and foreign Connections are interwoven with this Idea she may find it almost impracticable in positive and express Terms [to] recall her manifold Assertions of that Claim and make an explicit Acknowledgement of our common Right. It would be very unjust as well as impolitic

in her to insist upon our acknowledging her Claim of Right & should she do it let us honestly and religiously oppose her but surely it is neither just nor politic in us to insist upon her acknowledging our Claim. It is a Kind of Popery in Politicks which not content with the free Enjoyment of it's own Opinion will needs force from the Rest of Mankind an Assent to it's Infallibility. We should think it exceedingly ridiculous if the most Christian King because he is a Catholic should insist upon our continuing the War untill his britannick Majesty should acknowlege the Doctrine of Transubstantiation. Perhaps it would not appear much more reasonable to the Ministry of France to continue the War for an Acknowledgement of the common Right of fishing. If both Proposals were made the british Ambassador would probably tell us that he & his Court believed neither in the one nor in the other and therefore would withhold assent to either Proposition untill our Pretensions to omniscience should be backed up omnipotence. For my own Part I think America has received too many recent Favors from the Hand of Heaven to insult it by her Obstinacy and Pride and hath too lately set up her own Independence to pretend to restrict that of others and surely if there be an undisputed Right of Individuals or of Nations it is the Right of private Opinion and so long as those Opinions are not accompanied by Acts injurious to others it is at best a very absurd Business to contest them."

⁷ The following words at the end of this sentence in Morris' draft were omitted in the printed version: "to enforce it."

Nathaniel Peabody to Meshech Weare

Hond & Dear sir,

Philadelphia 9th July 1779

I have this moment an opportunity to inclose you by Express Two hand bills Containing the latest News from So Carolina—and the Pennsylvania papers of the 3d, 5th, 6th, 7th, & 8th instant— and a hand bill Left here by Col. Ethan Allen. As Soon as you Shall have read them please to present them with my Complmts. to Col. Bartlett— and if their is any thing in those papers entertaining to my fellow Citizens my ambition is fully Gratified. Have not time to enlarge as the Express is waiting. Shall write to you largely as Soon as possible. I am Hond & Dear sir your most Obt. Humble Servt,

Nathl Peabody

P.S. A line from you at any time will be to your Humble Servt as the morsel of Honey was to Jona.

RC (MHi: Weare Papers).

Committee for Foreign Affairs to Captain Sapet

Sir¹

Philadelphia 10 July 1779

The Committee for Foreign affairs request your care of some pamphlets and gazettes for Doctor Franklin and Doctor Arthur Lee.

The Minister of France has sent with this packet those of the Committee referring to the papers now forwarded. Whatever your proceedings may be in regard to his Letters, when you arrive at Port,

we beg the same with regard to those directed to the Minister or Commissioners of the United States, but as to what we now send, we would not have any great expence incurred to Get them to hand. They may be put in the possession of your own Merchant, or any Gentleman connected with American business, at or near the Port of your arrival to be forwarded by any Convenient opportunity.

We wish you a prosperous Voyage and every Felicity in life being
Sir your most humble Servt. Signed James Lovell

for the Com. for F. Affairs

LB (DNA: PCC, item 79).

¹ Captain Sapet was the commander of the French polacre *Victorieux*, which also carried dispatches from Gérard to Vergennes on the voyage he was about to undertake. See Meng, *Gérard Despatches*, pp. 748, 752; and James Lovell to Arthur Lee, July 17, 1779.

William Henry Drayton's Draft Committee Report

[July 10, 1779]¹

The Committee to whom was referred the Memorial of Mr John Codman junr. agent for Captn. Joas Garcia Duarte, of the Snow Nostra Senhora de Carmo é Santo Antonio, & respecting the Capture of the said Snow & her Cargo.

Report, That not having been able to communicate with any of the Owners of the Privateer Phenix by which the said Snow was captured, upon the Subject of Settling & repaying the damages arising from that capture, but having communicated with the Said Agent & Captn. & attended to all the circumstances of the capture & the consequences arising there upon, they find, that the said Capture was illegal, that the Captain & owners of the Said Snow & Cargo have in consequence of the Capture sustained very considerable damages, that altho' by the Law of Nations the Sovereign Power of War and Peace is not bound to make recompence in pecuniary damages to the injured Party, yet as from the present Situation of affairs within these States it is very difficult for injured Foreigners to obtain redress in Such cases as the present by a due course of law, & the honor and justice of these States may be impeached, & their interests prejudiced abroad if Speedy redress be not had, it is therefore adviseable that Congress redress the injuries Sustained by the Said Captain & Owners by paying the Amount of the damages they have Sustained, & also take the most effectual measures to cause the Owners of the Privateer Phenix to repay the Said amount of damages. For these purposes the following Resolutions are Submitted to the Consideration of Congress.

Resolved that the Committee upon the Memorial of Mr. John Codman junr. agent for Captain Joas Garcia Duarte, prepare Bills of Exchange to be signed by the President upon the Ministers Plenipotentiary of the United States of North America, at the Court of Versailles, for the Sum of Sterling & payable at eighteen Months Sight & bearing an interest of Six per Cent per Annum. That the Said Sum of Sterling be divided into Six such parts as may be agreeable to the Said Captain Joas Garcia Duarte & quadruple Setts of Exchange be drawn for each of the said Six parts.

Resolved that a Copy of the proceedings in the case of the Snow *Nuestra Senhora de Carmo é Santo Antonio* be transmitted to His Excellency the Governor of Virginia, requesting him in the name of the United States to take Such measures as tend to cause Carter Braxton Esquire of the State of Virginia, agent for the Owners of the Privateer *Phenix*, to reimburse the Said States the Said Sum of Sterling by Congress paid for the honor & interest of the Said States in damages by the illegal proceedings of the Said Privateer *Phenix*, and that the Money & the effects (those of a Sacred nature excepted which are to be returned to Captain Joas Garcia Duarte or to his order) in the custody of the Board of War at Boston, be subject to the order of His Excellency the Governor of Virginia.

Tr (ScHi: Laurens Papers, no. 22). In the hand of James Custer and endorsed by Henry Laurens: "Mr. Drayton's draught for a Report on the Case of Capt Duarte of the Captured Portuguese Snow, 10 July 1779."

¹ Drayton drafted this report as a member of a committee appointed on July 5, 1779, to meet with Juan Garcia Duarti for the adjustment of a claim he had submitted as the captain of a Portuguese snow, *Our Lady of Mount Carmel and St. Anthony*, illegally seized in 1777. For the background of its seizure, see Committee of Congress to Robert Morris, July 7, 1779. However, Drayton's committee, which included Henry Laurens, James Lovell, Henry Marchant, and James Searle, submitted a different, much longer report to Congress on July 16, which is printed in *JCC* from the PCC copy that is in the hand of Moses Young, one of the secretaries of Henry Laurens. That committee report appears to be the work of Laurens rather than Drayton, for another copy of it, in the hand of Laurens' secretary James Custer, is endorsed by Laurens "Mr. Laurens's draught of a Report on Capt. Duarte's Case—Portuguese Snow, 10 July 1779," and is located in the Laurens Papers, no. 20, ScHi.

Although both drafts strongly supported Duarti's claim, Laurens dwelt upon Robert Morris' refusal to meet with the committee and was much more critical of the owners of the *Phoenix*. Drayton and Laurens had been at odds for many months over a number of issues, especially those involving Morris and his associates (particularly Silas Deane), and it seems clear that Laurens believed Drayton was too tolerant of the investors in *Phoenix*, and he won over the other members of the committee, the chairman of which was Searle. For the document drafted by Laurens that was actually submitted to Congress, see *JCC*, 14:838–42, and PCC, item 44, fols. 9–12. Additional evidence of Laurens' consuming interest in Morris' and Braxton's involvement in this case is also found in the many documents relating to it located in the Laurens Papers (nos. 19, 20, 22, and 23), ScHi.

John Fell's Diary

Saturday July 10th [1779].

Coml Committee. Congress. Letters, Memorials and Reports from the Board of War and Treasury, Letter from Peter Wickof to Resign the appointment of Clothier General and several other Persons Put in Nomination. Dr Wetherspoon attended Congress to day.¹

MS (DLC).

¹ John Witherspoon, a member of the committee appointed to interview the inhabitants of the New Hampshire Grants, had been absent from Congress since June 4. For the fruits of his mission, see Committee of Congress to John Jay, July 4; and Committee of Congress Report, July 13, 1779.

John Fell to Robert Morris

Dear Sir,

Phila. July 10th, 1779

Yesterday your favour was handed me Per Mr. Huston,¹ who I am happy to find by your Recommendation to be so agreeable a Gentleman. I make no doubt he will answer the carracter you give him. Dr Wetherspoon came to Town to day and Dr. Scudder, goes home to morrow Per whom I shall send this as I have heard you was in Monmouth. I am much oblidge to you for the Letter I Reced some time since with the information relating to the appointment of of My Son Peter.² He left the Town the next morning but did not acquaint me whether he would accept the Office or not, but by a Letter I Receivd from him by last Post he mentioned Coll Frelinghuysen having sent for him to Hackinsack, to Receive orders, which matter he did not explain, as the Papers say Coll. Nelson was the Commanding Officer, so that I do not understand the Arrangement at all. New Jersey has this day 4 Delegates in the House but I much doubt there being so many againe in a hurry.

Dr. Wetherspoon says the Governor has lately had a lucky escape from 12 Arm'd Horsemen Tories who came to take him. I wish he would live in a Town as I think he would be much safer then in a Country Place.

I really wonder that you venture to live in Monmouth as I have always thought that County, was as bad as Bergen. For my Part I dare not goe home, while the Enemy continue in that neighborhood, indeed I imagine I have very little left to goe too, as I have heard since Mrs. Fell went from hear, that during her absence, her only Wench, which makes the fifth Negroe had gon to the Enemy and has besides Robd the house, (She must be greatly distressd indeed). It is now Past 3 oClock, and not like to break up soon, however as I have not one word of News that can be deppend on or worth writing, I

shall only tell you, that if you will favour me with a line when you have an Opportunity I shall take it exceeding kind. I forgot one thing, there is a Vesell arriv'd this day from St. Eustatia by whom Our Commercial Committee, have a Letter of June 16th from Our Agent³ who says, Adm Byron, was gon to see a large fleet clear of the Islands, and that Count Estang was yet at Martinique, that Byron's Ships was said to be very Ill Mann'd, have lost a very great number both Sailors and Soldiers, that DeEstaing had not so many large Ships as Byron, that they both expected reinforcements but none had arriv'd. The Captain Reports that the french have taken St. Vincent, I do not beleave one word of it, as if true our Letter from Mr Gouverneur would certainly have mentiond it. I am very Respectfully, Your Real friend,

John Fell

P.S. The inclos'd are extracts from the Letters of Genls Lincoln & Moultrie and Govr Rutledge. Without the Enemy get a large reinforcement I believe there is no danger of Charlestown. Would you believe, that one of the fellows who said hear, that he was Quarterd at one of the Great Guns in Charlestown and that there was 652 of Enemy Killd, and many other circumstances relating to that affair; I am told has sworn to the truth of the whole at Camp, before General Green. We have in Congress Receiv'd some very curious Letters from the Colls. Cox and Pettit,⁴ as also from their Grand Master the Quarter Master General, relating to the State of New Jersey daring to Tax. I will not say any more about it, but I shall procure [their?] Letters to shew you the first time I have the pleasure of seeing you. I finishd the Letter in Congress, and the remainder since dinner. I will now goe and smoak a pipe so bid you adieu and am, J.F.

RC (NJR: Robert Morris Papers).

¹ New Jersey delegate William Churchill Houston, who had just taken his seat in Congress on July 9. *JCC*, 14:811–12.

² A law passed recently in New Jersey to raise 1,000 militia men for six-months duty named colonels John Neilson and Peter Fell as commanding officers. See *N.J. Archives*, 2d ser., 3:470.

³ There is no letter of this date in PCC from the firm of Samuel Curson and Isaac Gouverneur, Jr., congressional agents in St. Eustatius.

⁴ See John Jay to John Cox and Charles Pettit, July 9, 1779.

Samuel Holten's Diary

[July 10, 1779]

10. Saturday. Congress ordered the money to be forwarded to Massa. Bay to exchange the emissions that are out of circulation.¹

MS (MDaAr).

¹ See *JCC*, 14:816–18; and Holten to the Massachusetts Council, July 13, 1779.

John Jay to the King of France

[July 10, 1779]¹

The representation and request of the Congress of the United States of America to their great faithful and beloved friend and Ally Lewis the Sixteenth, King of France and Navarre.

The full confidence we repose in your Majesty's constant attention to the great objects of the treaties subsisting between us, and our earnest desire vigorously to Co-operate in the attainment of them induced us to submit the following facts and proposals to your consideration.

At the commencement of the present War we were in a great degree destitute of Arms, Ammunition and cloathing for our Armies, and supplies have since been irregular, fortuitous and scanty. Our husbandmen have been so much interrupted by frequent calls to Arms, that even the productions of our fertile country have been considerably diminished and other Natural effects of war have rendered our usual commodities for exportation less abundant than formerly. Our coasts have long been and still are so infested by the enemy's cruizers, that our commerce has been greatly injured, and both exports and imports become very hazardous. For want of naval stores our marine exertions have been less extensive than they otherwise would have been, and while commodities proper for remittances remain scarce, and the transportation of them precarious we have little reason to expect ample supplies from private contracts and commercial projects.

We are impressed with the strongest conviction of your Majesty's friendly disposition towards us and are persuaded that the same magnanimity, which induced your Majesty to Unite with us in frustrating the cruel designs of a nation whose power and lust of dominion had become dangerous to their Neighbours and Oppressive to us, will continue to influence your majesty to exertions glorious to France and advantageous to your Allies. We therefore take the liberty of requesting your majesty to furnish us with these necessary supplies, an estimate of which we have ordered our minister to lay before you,² and we pledge the faith of these States for the repayment, with interest of whatever sums may be advanced for that purpose as soon as the restoration of peace shall have enabled us.

Be assured that they shall be vigorously used against the common enemy, with whom we shall neither conclude peace nor truce without Your concurrence, and that it is our sincere desire that the Alliance between us may be as beneficial to France as it has been liberal and salutary to these United States.

Done at Philadelphia the tenth day of July 1779 by the Congress of the United States of America your faithful friends and Allies.

John Jay. President

RC (Archives du Ministère des affaires étrangères: Correspondance politique, États-Unis, vol. 9). In a clerical hand and signed by Jay.

¹ This letter is printed in *JCC* with the entry for June 15 because "a representation and request to his most christian majesty" was agreed to on that date. As the June 15 manuscript entry by Secretary Thomson, which appears only in his "Secret Journals, Foreign Affairs," contains a paragraph explicitly adopted on July 10, it is clear that the entry was recorded after the later date. There is no mention in any of Thomson's journals of this matter under any entries for July 10, but except for the concluding paragraph the document printed here follows nearly verbatim Thomson's June 15 secret journals entry.

That Congress decided to request supplies from France on the earlier date is not in doubt, for on June 16 James Lovell wrote contemptuously of the "begging Letter . . . for Stores," and on June 17 Conrad Alexandre Gérard informed the comte de Vergennes that such a letter had been approved, with an addition that he had demanded. Once the decision to make the request was endorsed, it was left to the Board of War and the Marine Committee to prepare estimates "of sundry articles proper to be sent for." The 45-page "Estimate of Articles" prepared by the Board of War is undated, but the three documents prepared for the Marine Committee are all dated July 15. This letter and the four estimates were sent to Benjamin Franklin by the Committee for Foreign Affairs the following day; Franklin presented them to the comte de Vergennes in a letter of September 18, 1779. See *JCC*, 14:736–39; *PCC*, item 1, 22:27, item 5, 1:248–50, 267–68; Meng. *Gérard Despatches*, p. 726; James Lovell to Samuel Adams, June 16, 1779; and Archives du Ministère des affaires étrangères, Correspondance politique, États-Unis, 9:34, 36, 37, 10:25, 26.

² See Committee for Foreign Affairs to Benjamin Franklin, July 16, 1779.

Henry Laurens to William Livingston

Dear Sir

10 July 1779.

I had the honor of addressing your Excellency under the 5th Inst intended by Dr Scudder who still remains in Town but will leave us tomorrow and now tells me he does not make Trenton in his way. Yesterday I received your Excellency's favor of the 10th Ult.¹ by the hands of Mr Houston,² I thank you Sir for introducing me to the acquaintance of a Gentleman of his Character. We have at length heard from Charles Town the bulk of intelligence appears in Bradfords and Dunlaps paper extracted from a paper which I sent them. The Enemy were intrenched on each side of Stono River, part on Johns Island, the remainder on the Main—the communications easy—their Hospital on the Island and very full—their shipping about 30 Sail including four men of War within Edisto and Stono Inlets, with these they have free communication and may withdraw when they please but as they had just received a schooner laden with Mortars and Ordnance it seemed as if they meant to repossess themselves of James Island (which lies within 3/4 of a mile of Charleston) and from thence attempt to destroy the remains of a pretty Town which their incendiary emissaries had in divers essays above half burned by Fire. If your Excellency should hear that some of the Council of South Carolina had voted for surrendering the Capital to the Enemy on certain terms, let it be remembered that the terms

proposed were not acceptable to Gen Prevost and that they might have been calculated for gaining a day or two in order to complete the fortification and to receive militia reinforcements. Be this as it may there was a Young man an Aid de Camp of our great commander in Chief who when solicited refused at all hazards "to go out with a flag on any such errand" that whatever were the motives or the propositions of the Council the project as soon as it was known was reprobated by the People and that the voice for a severe scrutiny was loud. Yet I will not censure the Council until they are heard in their own defence—certainly the neglect of that state will be pleaded in apology for the majority of Counsellors 5 to 3. The enemy announced their design to invade South Carolina nine months before they entered it and they were four months in its vicinage distant only the breadth of the river Savanna—upwards of six months had Congress been recommending to the states of Virginia and North Carolina to send succors—What succors did those states send? In my last I suggested to your Excellency the seeming necessity for a Grand Council—to day we have received another gleam of light (perhaps glimpse may be a better word; we will adjust the term according to events—but I do not give up the idea of a Grand Council and I have not the smallest doubt of receiving your Excellency's approbation of the measure when we come to talk the matter over—when will that be? Could I ride on horseback as well as I could twenty years ago it should be on this day sen-night—but I have eat my cake and must be contented. Were I a citizen of a large extended country whose present and future happiness depended upon the yeas or nays of a Council of 20 or 30 I should hold it essential to that happiness to have the wisdom, the experience, the vigilance, the diligence, the virtue of the whole Country concentrated in that 20 or 30 and I would admit no birds of passage. Are not long and frequent vacations great impediments to School-boys? Days before they go, all the days they are absent and some days after their return are so many days lost—& what good can be expected from new Scholars. If we get safe on shore we shall look back with equal pleasure and amazement. I have written very freely because your Excellency has encouraged me to do so and because I know to whom I write. I should not much care if every thing I write were published by Rivington, but I hate to have flies buzzing about me, tho' they are easily brushed off. I pray God to bless your Excellency & I request you Sir to believe that I am with sincere regard & attachment &c.

H. L.

LB (ScHi: Laurens Papers, no. 16).

¹ Livingston's June 10 letter is in the Laurens Papers, no. 44, ScHi.

² New Jersey delegate William Churchill Houston.

James Lovell to Samuel Adams

Dear Sir

July 10th. 1779

At length I send you with some other things the Baltimore Publication, reprinted by Town in his Evening Post of the 9th.¹ That Print also contains a Peice signed Cato which comes from some of the Gentry who *think much of* the Prosperity of the Eastern States.² Langworthy said himself that he should publish *Americanus*³ and he is said by others to publish *Cato* and to have written *O Tempora O Mores*. You may judge what Part he has had in those Peices. I doubt not he *copied the rough Spec* for the Press.

We⁴ shall give a private Audience⁵ on Monday in Consequence of Dispatches recd. last Monday by yr. Neighbour Brewer. They were of old Date. The King is pleased that we have only one Minister at the french Court. We are to know this by finding how much that one has the Confidence of the Court. "As to others what *was* said it is better for the *House* to hear." Ergo an Audience ensues. It will be upon a level Line of Importance with the former parvum in multo; We are enjoyned Secresy before hand; tho Gomez was telling the Story at the Coffee House last Eveng.⁶

By the Way, on this Topic of Secresy Smith Says he must tell all his State calls for; and Burke says if certain Ultimata *do pass* he will immediately let his State know them. Why should not I say if they *do not pass* I will also tell my State?

These same News-Paper Gentry say, *in the House*, that though Adams & Lee are gone, yet the Supporters of *their* Measures are left here, wherefore a *minority* governs.

I recon that one Session after the Audience will finish foreign Affairs so far as relates to Ultimata. The Arrangement of the Treasury will also be finished at the next Tryal; and That, I suppose, will be called finishing the *Finance* Reports.

I forgot to remark above that if Doctr. Franklin has the Confidence of the French Court it is strange that we have not a Line from him by their Packet. He was, indeed, always very backward of writing to the *State* which employed him, though he was lengthy to Individuals. I verily believe that they folgerize⁷ us in France often.

I expect that Arthur is to be squinted at if nothing worse in the Audience. For, though the Family of Lee is now linked in public, yet one in Office is too much for the inveterate Party to yeild to. There is great Success against the Indians on the Western Frontiers by Partizan Warriors, but I fear all the Expence will be thrown away upon an *excellently well conducted Retreat* in the grand Attempt.

The Money is to be sent on to the Loan Office by the return Waggons which brought the Condemned Emissions;⁸ but, I hope a wise & generous Spirit will show itself among your monied Men to take Loan Certificates instead of Bills for what they now have a

Demand for upon the Loan Officer. There seems in this Quarter, a Desire to enable us to stop the Press. Pray encourage such a Disposition in your Neighbourhood.

Remember me to good Friends and know me assuredly, Sir, yr. affectionate hum Servt.

RC (NN: Samuel Adams Papers). In the hand of James Lovell, though not signed.

¹ For this condemnation of Congress by "O Tempora! O Mores!" see Lovell to Adams, July 8, 1779, note 1.

² For the "Peice signed Cato," see Gouverneur Morris to Benjamin Towne, July 9, 1779.

³ For a discussion of "Americanus," see Henry Laurens' Notes of Proceedings, June 19, 1779.

⁴ Lovell wrote in the margin at this point, "Confidential."

⁵ This day President Jay informed the delegates that the French minister, Conrad Alexandre Gérard, had requested a conference with Congress, ostensibly to communicate information that he had recently received from the comte de Vergennes, the French foreign minister. Gérard subsequently met with Congress on Monday, July 12, and Congress then met in committee of the whole on July 13 and 14 to discuss Gérard's revelations.

Another, less obvious reason for the meeting with Congress was to give Gérard an opportunity to break the deadlock over the fisheries question and thus procure peace ultimata more to French liking. According to Gérard's July 14 letter to Vergennes, the plan for the conference was discussed at a meeting of Gérard with "le Président du Congrès et deux autres delegués bien intentionnés." During this meeting, Gérard explained, they agreed on "un plan proposé par le Président que se chargea d'annoncer au Congrès les différentes communications que j'avois a lui faire en vertu de votre dernière dépêche et qu'il s'engageroit dans sa prochaine seance a me prier de les lui faire moi meme en plein Comité de la Chambre; que dans mes discours je rapellerois fortement les principes sur lesquels j'avois toujours insisté, et qu'en attendant ils agiroient de leur coté, et qu'ils se prévaudroient avec réserve de tout ce que je venois de leur dire pour détacher quelques membres de l'opposition. Les choses se sont en effet passées ainsi." Simultaneously, Gérard underscored Vergennes' insistence that Congress stand by its treaty obligations with France because America's political existence and prosperity depended on French support—"à une alliance que est la baze essentielle de leur existence politique, et qui est le gage le plus certain de leur future prosperite."

For Vergennes' February 19, 1779, dispatch to Gérard which provided the occasion for the latter's invitation to address Congress, and Gérard's July 14 report to Vergennes on the conference and the maneuvers preceding the invitation extended to him by President Jay, see Meng, *Gérard Despatches*, pp. 533–40, 777–87. For the context of the conference and the substance of what Gérard communicated to Congress on this occasion, which is drawn from Secretary Thomson's Secret Journals and two documents in the hand of Henry Laurens containing Gérard's prepared remarks and accompanying explanatory comments, see *JCC*, 14:818, 827–35. See also Lovell's letters to Adams and to James Warren of July 13; John Fell's Diary, July 12, 13, 14; and William Fleming to Thomas Jefferson, July 13, 1779.

⁶ The identity of "Gomez" can not be determined with certitude, but he was clearly a member or former member of Congress who "leaked" information concerning confidential debates in Congress, though probably not Thomas Burke, Edward Langworthy, or Meriwether Smith, who are linked elsewhere in this letter to revelations of secret congressional affairs. On the other hand, in a January 1780 letter to Adams, Lovell satirically employed the names of William Henry Drayton and John Penn as violators of the secrecy rule. See Lovell to James Warren, July 13, 1779; and to Samuel Adams, January 28, 1780.

⁷ That is, steal the American dispatches as in the case of John Folger. See these *Letters*, 8:560–65.

⁸ See Massachusetts Delegates to the Massachusetts Council, July 9; and Samuel Holten to the Massachusetts Council, July 13, 1779.

James Searle to Richard Henry Lee

Dear Sir

Philadelphia 10th July 1779

I was highly gratified with the rect. of your obliging letter of the 27th of last month.

To deserve the esteem of all good men is the Supreme object of my Soul; Judge then Sir what my feelings must be when my conduct is approved by Colo. Lee, a Gentleman to whom (as a grateful American) I look up with Veneration & high respect for the many, the important services he has done my Country.

I think it a great misfortune that at this critical moment we are deprived of your advice & assistance in our Councils. We feel our loss in you the more as we are also deprived of that great Statesman & honest Man Mr. Adams who has left us Struggling with a set of men some of whom on my conscience I believe mean not the good of America. As to the important point under debate when you left us, the F——¹ The honest Men have hitherto kept its opposers at bay, & I am not without hopes its Friends will finally succeed in supporting it.

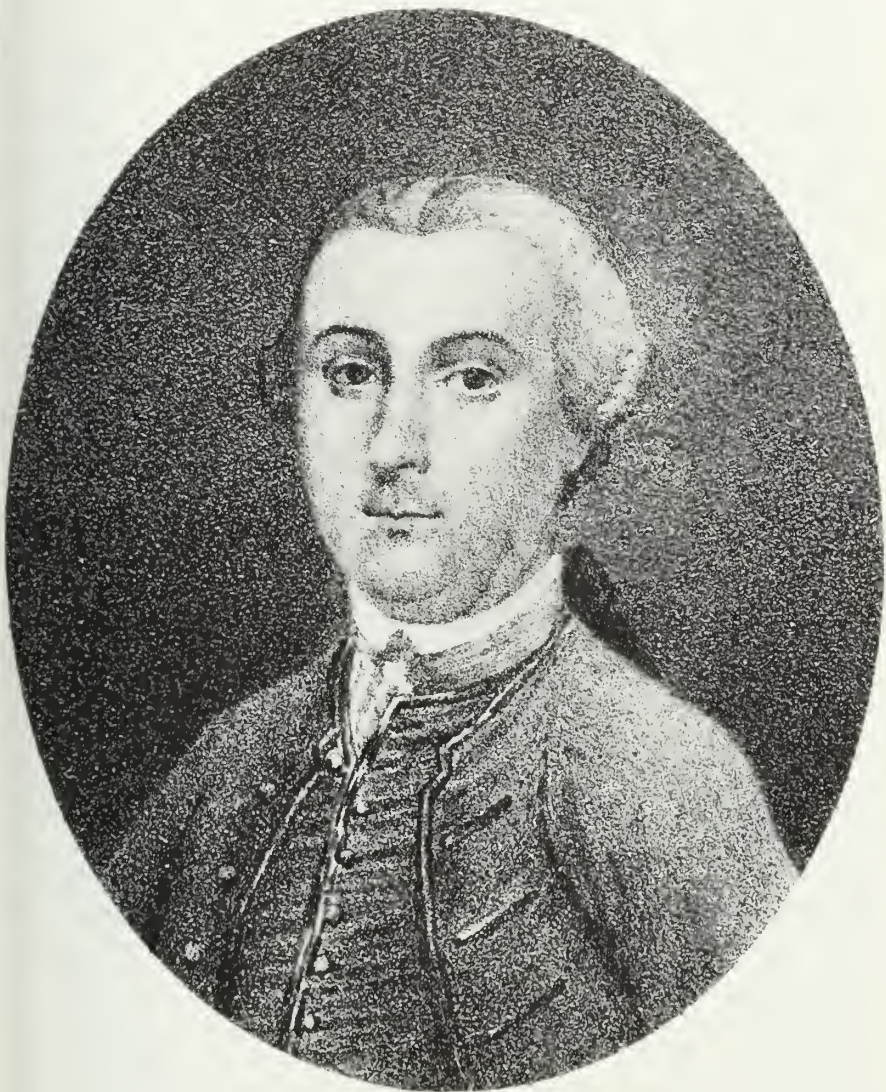
I have great satisfaction in acquainting you that the *Dean & Boston* sailed from our Capes the 5th of this month fully & well manned, with orders to Scour your Bay of the little Picaroons, & I persuade myself you will have heard of them before this can reach you.

The *Confederacy* is now at Chester having met with some damage to her main trussle trees by lightning; I hope however she will be at sea in a few days unless Monsieur ——² Should Stop her, but I am of opinion this will not be the case as he does not seem so very anxious to be gone as he was, & he is mending in his health daily.

We are hourly expecting the *Alliance* as we hear She was ready to sail having on board a great number of our poor fellows who had been Prisoner in England.

The Marine Committee have sent forward a list of Materials & Stores for the 74 Gun Ship & Eight new Frigates hereafter to be built. We have reason to hope these things will be sent us from France by order of his most Christian Majesty together with a very large supply for our army of every necessary for Fifty thousand men from a Brass Cannon to a Shoebuckle.

The Minister has inform'd us that he had reason to beleive all those things woud be sent us imediately if applied for by Congress, to be paid for when Peace was established, in the manner most



James Searle

convenient & agreeable to us. It is in consequence of his information that the application is made³ & I have no doubt of the success of it.

Pray do me the honor good Sir to continue your kind correspondence as often as your more important concerns will permit you.⁴ When you have an oppo. of seeing your excellent Brother Coll. F. L. Lee pray assure him of my sincerest regard & Veneration. I am very truly, Dr. Sir, Your Devoted Friend & Servt.

James Searle

RC (ViU: Lee Family Papers).

¹ Fisheries.

² That is, the French minister, Conrad Alexandre Gérard.

³ See John Jay to the King of France, this date.

⁴ For Lee's letter to Searle of August 7, 1779, see Lee, *Letters* (Ballagh), 2:104–6.

John Armstrong, Sr., to Horatio Gates

Dear General

Philada. 12th July 1779.

In Congress our great publick points tho often agitated, are but little, very little removed from the ground on which they stood when I wrote you last,¹ notwithstanding that two months have elapsed since in answer to that letter, I had yr. favour of the 27th of April, for which (if not tendered before) I beg you will even at this late day accept my Cordial thanks. Congress have lately thrown out a Small Scheme of Finance, with a view to borrow money, Stop the Press & prevent the farther depreciation of that already in circulation; whether it will have the desired effect is yet uncertain, and at present very doubtful, as in this City (a kind of mirror or first mover to the adjacent States) many I find are of Opinion they can employ their money to better purpose than in our Sinking funds, so that it's very probable we must early hold up higher inducements to money holders in order to procure such loans as when joined to that to be derived from taxation may Serve as a constant Supply & prevent the necessity of farther Emissions. The Enemy we hear have landed a body of their Troops at New Haven, if so, tis to play the game of Norfolk over again, harras, pillage & destroy.

Before this time you will have learned that our long and fallacious amusement of a favourable event on the 11th of May at Charlestown was vain, no such action having happened—and now General Lincolns dispatches being come the Substance amounts to little more than that Charlestown appears to be Safe for the present, the Enemy being encamped And fortified on Stono River Some twelve or Sixteen miles Southward of the Town where they derive Some Supplies from Johns Island, and from whence they can embark with little molestation when they think proper. Their numbers the Genl. esti-

mates at three thousand five hundred as I best remember. He (Genl. Lincoln) is Encamped at Some convenient distance with a Superior force, but probably considers the Enemy inaccessible at least to his troops in their present position. It appears unfortunate that when Genl. Provost directed his march for Charlestown, Genl. Lincoln was then on the South Side of the Savana River & considerably back in the Country so that he cou'd not reach the Rear of Provosts Army untill he had arived near Charlestown, Sent in a Flag demanding a Surrender and had time to retreat to the ground he now occupies. There is reason to believe that the Executive Council of that State or at least Some of them were disposed to come to terms with the Enemy but upon hearing that their Soldiery must be prisoners of war Genl. Moultry (for I think the Governor Mr. Rutledge was not in Town) bravely rejected the Overture. These people are miffed because they had not a Detachment from Genl Washingtons Army Sent to them, a great mistake—true North Carolina has not done what might well be presumed they ought to have done, Still it is grievous to think that Charlestown fortified as it is, knowing that Lincoln was also in their rear shou'd for a moment hesitate to resist that inferior Army.

General Sullivan is at Wioming waiting for more Provisions or other preparations. He is a favourite of your neighbour Mr. Ellery, and we all wish him well, but if he have Success he will have double Credit, as little but expence is yet expected—true it was necessary that Some troops shou'd appear in that Country in order to prevent the ravages that otherwise wou'd have been Committed in the States of New York & Pennsylvania.

We have lately arrived here an agreeable & intelligent Young Gentleman (Doctor Shields) from Dublin who left that City in the begining of March last, who assures us we have many wellwishers in that country—That the Kings Speeches so far as they respect the American War & prayers for the Arms of the nation here, are treated with high contempt by many of the first Characters—That the Lord Lieut. is obliged to wink at several matters otherwise disagreeable to his Court—and that when he left Ireland no considerable number of troops were even talked of or in the least expected to be Sent to America this Year, except a few to the Islands and that shou'd a Reinforcement of importance be thought of he is certain it must be late in the Season. Some Men on 'tother Side the Water begin to conjecture that 'tis only the Obstinacy & pride of the British King that now prevents the concession of Our Independance, and that when soever that event shall take place, the thing in Substance must be aimed at, without insisting on the ungrateful words *Independance &c.* Not one line from any of our Commissioners abroad, a mystery which I cannot unfold, nor do I believe so long Silence to be possible, however necessary that their letters containing probably but little,

shou'd be confined to few hands. As you know the Ocean bears no Vessel more leaky than Congress.

Mr. Marchant & my Self have exerted our Selves for your friend Captain Banks—we are indeed oppressed with men in his Situation, and the liberality of the publick almost worn out, he however has been pritty fortunate at least in dispatch whereof I believe he is Sensible; the Resolution does not Oblige you to make him Town Major, being only meant conditionally & until he can return to Europe or otherwise dispose of his time.² I am happy in observing Your Correspondance with the Commander in Chief which is indispensable to the Service, and hope you will indulge me the pleasure of a devoute wish that it be maintain'd in perfect lattitude. I am dear General, with great truth, Affectionately Yours.

John Armstrong

[P.S.] From the Packet to which you allude nothing of consequence transpired, I think I have heard it called duplicates. We have not yet fully decided on the Fishery, a dish which I hope will always be well relished in America.

RC (NHi: Gates Papers).

¹ See Armstrong to Gates, May 22, 1779.

² For Congress' denial of the petition of John Valentine Bancke for a commission in the Continental Army, see John Jay to Horatio Gates, July 14, 1779.

John Fell's Diary

Monday [July 12, 1779]

After the dispatches at 12 oClock, Congress went in to a Committee of the whole to have a Conference with Mr Gerrard. Mr Lawrence was appointed Chairman and Mr Dickinson and Dr Wether-spoon Assistance in the Conferrance, after the Minister was gon the Chairman obtaind a writing ¹ which was Read, and desired leave to sitt againe. President took the Chair and sundry Reports were read from the Board of War and Treasury.

MS (DLC).

¹ Fell apparently left space to insert the title of the paper, "Ad Statum Legendi," that Henry Laurens, "the Chairman," obtained from Gérard. See James Lovell to Samuel Adams, July 10, 1779, note 5.

Thomas McKean to Sarah McKean

Dear Sally,

Philadia. July 12th. 1779.

The News-papers which accompany this will tell you in what

manner I spent the two days succeeding your departure; since that I have gone in the old Jogg-trot, attending Congress every day. On Saturday last I dined with Mr. President Jay, who had a chosen company, viz. the Minister of France, Don Juan de Miralles, the President, Vice-President & Secretary of the State, Mr. Brackenridge, Doctor Sheals (lately from Ireland), General Lincoln's Aid de camp Major Price &c.¹ For the public News I shall refer you to the papers; excepting this, we have *good news* from abroad. I can communicate no more.

I have advertised all my real estate for sale, except my Possessions at Newcastle &c. In this Act I have two things in view, the first, to serve my country, by shewing I have a greater regard for the Continental paper currency than for land, which at this critical period will have an effect upon it, as I know it will occasion speculation; at least I shall thereby be enabled to serve the General cause by lending the United States some money if I sell: the second view is to sell to advantage and to have it in my power to purchase some valuable plantation, whereon I may live cheap, and spend the remainder of my days in comfort in some healthy & good part of the country, and I shall not be scrupulous about buying the estate of a Traitor, which is confiscated; or if I shall find it more beneficial employ my money in trade, at least for a season.

The family is well, except Nancy, whose boils have been very troublesome, especially one on her throat just under the chin: she is however dosing with cream of tartar & flour of sulphur mixed with molasses, and is getting better.

Your difficulties at Schuylkill ferry with the new horse I have heard, but nothing more concerning you since you left home. I suppose the harvest prevents travelling, or I cannot find out at what Inns the people from Newcastle &c. put up.

Pray, enquire particularly of John Clark Esquire Sheriff, John Thompson Esq. or Mr. William McClay, whether either or which of them has the deeds & papers for Mr. Montgomery's lands &c. at the Bridge, now belonging to Mr. & Mrs. Willday and Robert Montgomery, and let me know, who has them. If you can get them, send them to me by the first good hand.

The children give their duty to you, and their love to their sister Sally. I must beg you'll present my affectionate regard to Mr. & Mrs. Vn Laivenigh, Mr. & Mrs. Thompson, my brother & his wife, Mr. & Mrs. Finney and to Mr. & Mrs. Dunn, and to all & singular my friends who inquire for me. Kiss my dear little Sall for me, and believe that I am, with all, [. . .], Dear Sally, Your, Thos. M: Kean

P. S. Three thousand British have landed at New-Haven in Connecticut,² & hold Mr. Sherman's (a member of Congress) wife & children prisoners,³ plundered the town &c., but they will not stay long there.

N.B. All my Lottery tickets, including Miss Betsey Thompson's & Miss Reed's are blank, except one 30 dollars. Tell Betsy I shall renew her's. Not a bit of butter have I seen since you left home.

RC (PHi: McKean papers).

¹ That is, Conrad Alexandre Gérard, Miralles, Joseph Reed, George Bryan, Timothy Matlack, Hugh Brackenridge, Dr. Hugh Shiell, and Maj. Nathan Rice.

² This postscript was undoubtedly added on July 13 when news of the British attack reached Philadelphia, for which see John Jay to George Washington and Jonathan Trumbull, July 13, 1779.

³ The rumor about Roger Sherman's family proved to be false, but Sherman left Congress on July 13 for Connecticut. See Cyrus Griffin to Thomas Jefferson, July 13, 1779; and Christopher Collier, *Roger Sherman's Connecticut: Yankee Politics and the American Revolution* (Middletown, Conn.: Wesleyan University Press, 1971), p. 162.

John Penn to George Washington

Sir

Philada. July 12th. 1779

From some expressions contained in a letter I this day received from Major Taylor,¹ I am induced to believe that he is sorry for having left the Army. I do not know that he could with propriety think of rejoining his Regiment after having been absent so long. However, as I always wished that the Major should continue in the Army, I have taken the liberty to mention the above, if your Excellency should be of opinion that it will not be improper for the Major to have his Commission again, I will inform him of it, if otherwise I have only to beg your forgiveness for this trouble. I have the honor to be with great respect, Your Excellency's Most obt. Servt.

John Penn

RC (PHi: Sprague Collection).

¹ John Taylor of Virginia, who held the rank of major in the Second Canadian Regiment, had resigned his commission in February 1779 but now apparently sought reinstatement through the intercession of Penn, a friend of Taylor's uncle, Edmund Pendleton. See *DAB*; and *The Letters and Papers of Edmund Pendleton, 1734-1803*, ed. David J. Mays, 2 vols. (Charlottesville: University Press of Virginia, 1967), 1:164, 248-49, 272, 275-76. For Washington's negative reply of July 22, see Washington, *Writings* (Fitzpatrick), 15:465-66.

William Whipple to Josiah Bartlett

My Dear Sir

Philadelphia 12th July 1779

Since my last respects to you I have received Your two favors of the 19th & 25th June.¹ I have not time at present to make any remarks on the plan of Government, shall therefore only say that in my Humble opinion it is full of defects, consequently my wishes are that it may never go down with the People.²

The Committee that was sent to the Grants are returned, that is two of them, viz. Dr. Witherspoon & Mr. Atlee, these were to be joined by two Gentn from Connecticut but the Dr. was in so great a hurey that he and Atlee set off the day before the others arrived, whether a report will be received from these two, is not yet determined.³ I am happy to find the Court have determined to lay in their Claim to that Territory but I could wish nothing had been said in the vote, of Vermont being an Independent State.

It gives me great pleasure that the people are sensible of the necessity of Taxing, certainly no other mode can effectually retrieve the credit of the Currency, that, with some other measures I trust will do it. Regulating prices by the several Town may answer a good temporary purpose, till other measures have time to operate. The exertions of New Hampshire for raising men &c have ever been at least equal to any state in the Union this has always afforded me particular satisfaction. I cannot however help expressing a wish that the measures now adopted had engaged the attention of the Court at an earlier period. The accots. from S. Carolina fall infinitely short of the reports that first reached this place & from hence was circulated with great embellishments but I still flatter myself we shall have a good accot of the Ravagers in that Country, I must refer you to the Newspapers for the situation of affairs there.

One ship with public stores & some other vessels are arrived in Chesepeak Bay from france, they sailed in Company with a fleet of 70 sail transports having from 10 to 13,000 Troops on board Bound for the west Indias under Convoy of five ships of the line & some Frigates, this reinforcement I shod think will enable Count D'Estaing to look Byron in the face.⁴

With great sincerity I am Your affecte. Friend & Humle Sert,
Wm. Whipple

RC (NhD: Bartlett Papers).

¹ Bartlett's June 19 and 25 letters to Whipple are in Bartlett, *Papers* (Mevers), pp. 257–58 and 260–61.

² Bartlett had enclosed copies of New Hampshire's proposed constitution in his June 19 letter. The constitution, which had just been written by a convention at Concord, was subsequently rejected by the state's voters. Jere R. Daniell, *Experiment in Republicanism: New Hampshire Politics and the American Revolution* (Cambridge: Harvard University Press, 1970), pp. 169–70.

³ A letter from "the two Gentn from Connecticut"—Oliver Ellsworth and Jesse Root—was read in Congress this day. For their explanation of their mission to Vermont, and the report of John Witherspoon and Samuel Atlee that was submitted the following day, see Committee of Congress to John Jay, July 4; and Committee of Congress Report, July 13, 1779.

⁴ These French naval and army reinforcements enabled the comte d'Esaing to capture Grenada on July 4 and to foil Admiral John Byron's efforts to recapture the island on July 6. See Jonathan R. Dull, *The French Navy and American Independence* (Princeton: Princeton University Press, 1975), pp. 160–61; and William M. James, *The British Navy in Adversity* (London: Longmans, Green & Co., 1926), pp. 145–52.

William Whipple to John Langdon

My Dear sir,

Philadelphia, 12th July 1779

Your two favors of the 20th & 28th ulto have come to hand since my last respects to you. I heartily wish the good news from Carolina was confirmed in its full extent, but you'll find by the newspapers that the true account falls infinitely short. When I mentioned the reports in my letters, I think I did with caution; for though the reports came many ways, not having authentic accounts prevented my placing so much confidence in the reports as many did—however our affairs in that country by no means wear an unfavorable aspect.

I have not so unfavorable an opinion of the regulations of the several towns as you seem to have. I am inclined to think they may answer a good temporary purpose at this critical juncture till measures have time to operate.

Several ships are arrived in Chesapeake Bay from France— they sailed with a fleet of 70 sail transport, convoyed by 5 ships of the line and several frigates bound to the West Indies, having on board from 10 to 13000 troops. Will not this reinforcement enable the Count to look Byron in the face. If our ally could gain one capital advantage by sea it would give a glorious turn to our affairs—but we ought not, and I hope do not *depend* on any thing but our own exertions and Heaven's smiles—these would soon accomplish our utmost wishes, if Avarice, that bane to true felicity was banished from the Human Breast—but this is a work beyond the reach of mortals, therefore needless for you and I to attempt it, any farther than respects ourselves—so far Heaven has given us the power which I hope we shall improve for the good of Society.

I am with ususal esteem, and friendship, your most obt hble servt,
Wm. Whipple.

Tr (DLC: Peter Force Collection).

William Carmichael to Charles Carroll of Carrollton

Dear Sir

13th July 1779

I hope your intended Jaunt will answer in every respect the Object you propose by it & that Mrs. Carrols health will be perfectly reestablished. I shall continue to write regularly to you to the care of Miss Goddard & shall be always happy to contribute to Mr Carrols amusement. I fear he will not find much in Letters generally written in haste or when spite of itself the mind is crouded with too many Objects from the occurrences that continually agitate it. The Press

here is filled with publications that are rather imprudent or breathe too much the Spirit of personal rancor & animosity. Townes evening post contains the latest of these, but the run for the paper was immediately so great, that altho' I sent instantly to the press, I was not able to procure a paper.¹ I suppose they will be republished in Other papers. Goddard I find has paid for General Lees satyr.² I saw the queries or most of them last Winter & advised the person who showed them to me, not to be concernd in the publication. I hear G. Lee intends to send us his resignation with a thundering letter in the Stile of the times against Congress. Letters of the 20th Ulmo. from St. Eustatia say that the Ct. D'Estaing has taken St. Vincents.³ I knew that he was at Martinique the 9th. This last reinforcement will certainly enable Him to cope with the Enemy, various reports of the Enemys movements to the Eastward have reached us none from authority. Prizes arrive here every week. If our State can preserve itself from the folly of regulation untill, it sees whether all the neighbouring states have adopted it, We shall soon have more merchandise of all kinds amongst us than in half the other States.

I am, Your Obliged & Humble Sert, Wm. Carmichael

RC (MdHi: Carroll Papers).

¹ Carmichael is apparently referring to the July 9 issue of Benjamin Towne's *Pennsylvania Evening Post* which reprinted an article by "O Tempora! O Mores!" that was highly critical of Congress. See James Lovell to Samuel Adams, July 8, 1779, note 2.

² A reference to the bitter denunciation of General Washington that had appeared anonymously in the form of 25 "Queries, political and military" in the July 6 issue of the *Maryland Journal and Baltimore Advertiser*. Although the paper was nominally printed by Mary Katherine Goddard, it was under the control of her brother William, who was hailed before the radical Whig Club of Baltimore and forced to reveal Charles Lee's authorship of the offending "satyr" and to sign a statement that he had "transgressed against truth, justice, and my duty as a good citizen." The episode has been discussed at length in John R. Alden, *General Charles Lee: Traitor or Patriot?* (Baton Rouge: Louisiana State University Press, 1951), pp. 279–85; and Ward L. Miner, *William Goddard, Newspaperman* (Durham, N. C.: Duke University Press, 1962), pp. 168–73.

³ This report, from "the Brig Holker, Captain Gaddis," was printed in the July 13 issue of John Dunlap's *Pennsylvania Packet*. For the West Indian operations of the comte d'Estaing that led to the capture of St. Vincent on June 17, 1779, see Jonathan R. Dull, *The French Navy and American Independence* (Princeton, N.J.: Princeton University Press, 1975), p. 160.

Committee of Congress Report on Vermont

[July 13, 1779]

Mr. Witherspoon & Mr. Atlee two of the Members of the Committee appointed to go to the New hampshire Grants beg leave to lay before Congress the following Acct of their Proceedings.¹

That as soon after their Appointment as they had Reason to think

the other Members had full information of their Appointment & Time to meet them they proceeded & when at Albany sent an Express to Stockbridge to Mr Edwards requesting [him] to forward it to the other Members that the Committee might meet at Bennington.

That the Subscribers not meeting with the other Members of the Committee but having with them a Member of the New York Assembly who lives upon the Grants & had been himself one of the Prisoners taken by Col. Allen as well as finding at Bennington Mr. Chittenden calling himself the Governor of the State of Vermont & many others concerned in the Government of it thought it their Duty to do every Thing in their Power to promote the Ends of their Mission the rather that the Committee was directed to make Enquiries, to take measures to promote Peace & to report Specially to Congress.

That they endeavoured to Settle the present Disorder in the eastern part of the Grants by persuading Mr Chittenden to write to his Adherents to forbear all Violence in the meanwhile & by writing themselves to the People who adhered to the Government of New York. Copies of both Letters are herewith given in marked No 1 & 2.²

That they conversed at great Length with all the Persons then at Bennington & went at the Request of one of the Adherents of New York Government to Shaftesbury for the same Purpose, that they endeavoured by many Queries to obtain a clear View of the Interfering Claims as to Property—to know the Disposition of the People & to persuade them to an amicable Accommodation of the Differences which have so long prevailed & took in writing the Answers to the Queries by Mr Chittenden after consulting with a Member of his Council [and] Members of Assembly which are now laid before Congress in a writing marked No 3.³

That they were treated by the People with great Civility and Respect— and were solemnly assured by them all that they did not mean to break the Union of the States or give Encouragement to the Common Enemy but were heartily willing on Condition that Time was given them & due Notice to represent their Case, to Submit themselves & finally to abide by the Decision of the United States in Congress assembled as appears by the last part of the Paper above referred to No 3.

That after the Subscribers had returned to Albany in the Way home they were overtaken by two Men who informed them that while they were at Bennington there had been a new Disturbance in the eastern Part of the Grants where the Endeavours for Settling the Differences were not known. On this Occasion they received a Letter from Mr Chittenden which with their Answer they lay before Congress No 4 & 5.⁴

Upon the whole they hope that Matters will be quiet there untill

Congress shall take some farther Steps in Consequence of the Information now laid before them.

Jno Witherspoon

Saml J. Atlee

MS (DNA: PCC, item 40). In the hand of John Witherspoon.

¹ For the appointment of this committee, see John Jay to George Clinton, June 1; and Jay to Timothy Edwards et al., June 2, 1779. For the context in which Witherspoon and Atlee submitted this report, see Committee of Congress to John Jay, July 4, 1779, note 3.

² See the Committee of Congress to Samuel Minott, June 23; and Thomas Chittenden to Jonas Fay, June 23, 1779, in PCC, item 40, 1:211.

³ The committee's questions and Chittenden's June 24 responses are in PCC, item 40, 1:217–20, and John C. Williams, ed., *The Public Papers of Governor Thomas Chittenden* (Barre, Vt.: Secretary of State, 1969), pp. 463–65.

⁴ See Thomas Chittenden to Atlee and Witherspoon, June 27, in PCC, item 40, 1:219a–21; and Committee of Congress to Chittenden, June 28, 1779.

James Duane to John Jay

Dear Sir,

13 July 1779

Mr Hopkinson has put the enclosed into my Hands. My Heart bleeds for him. Few Men have his spirit or his disinterested Patriotism.

I wish Congress may refer it to the Board of Treasury with power to take order thereon. To raise his Salary is Vain & must be injurious to the publick. But as he holds a publick Office we might pay his House Rent, Clerk hire, &c &c & enable him to live which is all he asks: at present he subsists by selling his Books. Hard fate for such Merit! Dreadful Prospect with such a Family!¹

Your most affect.

Jas. Duane

[P.S.] He assures me & I believe him that his Salary does not maintain him one month in three!

RC (DNA: PCC, item 78).

¹ The July 12 memorial of former New Jersey delegate Francis Hopkinson, treasurer of loans, was read in Congress this day and referred to the Board of Treasury, of which Duane was a member. PCC, item 41, 4:79–81. On July 22 Congress appropriated \$5,503 for Hopkinson's "salary as treasurer of loans and the contingent expenses." *JCC*, 14:822, 862.

John Fell's Diary

Tuesday 13th July [1779]

Coml Committee. Congress. Letter from Gen Washington dated Head Quarters New Windsor July 9th. Committed to 3 vizt. Mr Marchant .¹ Congress went in to a Committee of the

whole on the subject of the Conference,² the Chairman desired leave to sit again, and the President resumed the Chair, and the Report of Duarte the Portuguese was taken up and debated till Past 4 o'Clock.³

MS (DLC).

¹ Fell apparently left space to enter the names of the other two committee members, John Armstrong and Samuel Huntington. *JCC*, 14:822.

² That is, the previous day's conference with Gérard; see Fell's Diary, July 12, 1779.

³ The Duarte affair is not mentioned in the journals this day, but for that issue see Committee of Congress to Robert Morris, July 7; and William Henry Drayton's Draft Committee Report, July 10, 1779.

William Fleming to Thomas Jefferson

Sir

Philadelphia 13th July, 1779.

My colleagues have requested me to transmit you the deposition of Ferrall Wade, on the subject of governor Hamilton's conduct at Detroit, which I inclose you accordingly.¹

A copy of the book of precedents in the war office shall still be attended to, tho' we have not yet been able to engage a man to undertake the business.

It is a matter of surprize and regret that Congress have not recd. a letter from their plenipotentiary, or either of their commissioners in Europe, for more than six months past; in which time the minister of France has recd. several dispatches from his court, and one very lately, the contents of which he has (in part) communicated to congress.² I hope I shall not be suspected of affecting a mysteriousness when I tell you I am not at liberty to mention particularly the minister's communications, nor would it be prudent to risque them in a letter, under the present regulation of our post office: however, this much I can venture to say, that they are favourable—that the prospect of peace brightens, and that France seems to act on a very liberal scale, & has, in many instances, gone further in support of the common cause than she was, by the treaty, bound to go; notwithstanding which, it is to be feared, we are not all true friends to the alliance.

Nothing of consequence lately from headquarters. The enemy, on the night of the 4th instant, made a sudden descent, with about 3000 men, at New Haven in Connecticut, and took possession of the town, but what damage they did we have not yet learnt. We have letters from genl. Sullivan dated at Wyoming the 5th instant; he complains of large quantities of damaged provisions, by which the progress of his army is much retarded. I have but little hopes from that expedition. Our cruisers in general are pretty successful, & I hope before this reaches you the enemy's privateers in Chesapeake bay will have met with a rub.

I am apprehensive we shall shortly be overrun by committees.³ The original ostensible design of them was laudable, and under proper regulations might, perhaps, produce good effects; tho' I confess little or nothing salutary has yet been experienced by them here; and I am of opinion they are taking large strides towards the entire subversion of this government, the civil magistrates being, already, little more than mere cyphers. Adieu.

RC (DLC: Jefferson Papers). In Fleming's hand, though not signed. Jefferson, *Papers*, (Boyd), 3:32–33.

¹ Not found.

² Letters from Arthur Lee and Ralph Izard arrived the day after this letter was written, for which see Francis Lewis to Robert R. Livingston, July 15, note 1, and James Lovell to Samuel Adams, July 16, note 1. For Gérard's July 12 "conference" with the committee of the whole, see James Lovell to Samuel Adams, July 10, 1779, note 5.

³ A reference to the activities of the Philadelphia committee appointed to set prices and curb monopolizers.

Cyrus Griffin to Thomas Jefferson

Dear Sir,

July 13th. 79.

It appears to me that Virginia will do her part in placing things upon an adequate foundation; a large Income of Money, and a most judicious taxation. Members of Congress highly applaud your wisdom in demanding Indian Corn, Wheat, Tobacco &c. I wish to heaven such measures had been adopted many months ago by every State in the union. I have no doubt the Enemy are waiting thus long to see the *downfall* of our paper Credit, but even that calamitous affair would do them no essential Service; America can never be reunited to Britain; and finances with our brave and determined people are only a secondary consideration. The proceedings of Council relative to G. Hamilton &c.¹ were received by Congress with the utmost applause; the whole matter is beautifully stated; the sentence judicious and spirited. That *peace* is a most desirable object no man in his senses *ought* to deny, but then it must be a peace honorable to America and grateful to our allies. I hope such a one will take place before Christmas next. By the violence of a giddy Multitude it would be highly disagreeable to patch up even an *Independant* peace at the expence of public faith and future salvation. Why are committees upon the establishment throughout all America? They have almost *murdered* the French Agent at Wilmington. Indeed *Fisheries* are too much of external nature to be fought for at present; yet in a treaty of peace I would not relinquish them; they should stand upon the common right of *Independant* nations. But unhappily this will not answer the purpose. The bleeding Continent must bleed still further. When I say my expectations lead to peace I do not

mean that England will *expressly* acknowlege our Independance; the pride of George will not submit; but she may treat with us as an Independant people notwithstanding provided our demands are not unreasonable, which the French Court are in apprehension about, and therefore trust that moderation and a well-guaranteed peace ought not to be despised in our low circumstances. The Enemy with a body of five thousand men have plundered and destroyed *New-haven*^{NB} in Connecticut; they carried off the wife and children of old Shearman the member of Congress; yesterday he left this City full of anxiety and trouble; I pity the Lady and Children exceedingly, but I have no tender feelings for the old fellow on many accounts. & am Sir, Yours most affly., A. B.

NB. Not ascertained to satisfaction. Two papers enclosed, because I do not know whether you get them regularly. I suppose you do not pay postage.

RC (DLC: Jefferson Papers). In Griffin's hand, though not signed. Jefferson, *Papers* (Boyd), 3:34–35.

¹ Lt. Gov. Henry Hamilton, whom George Rogers Clark had captured when he retook Vincennes in February 1779, had been sent as a prisoner to Williamsburg where the Virginia Council reveiwd his case and ordered on June 16 that he "be put into irons, confined in the dungeon of the publick jail, debarred the use of pen, ink, and paper, and excluded all converse." The council's proceedings were transmitted to John Jay in Governor Jefferson's letter of June 19. See *ibid.*, pp. 4–5; and PCC, item 71, 1:245.

Samuel Holten to the Massachusetts Council

Sir. Philadelphia July 13th, 1779.

Since I had the honor of addressing you last, Majr. Rice has arrived here from General Lincoln's head quarters, the printed accounts brought by him I inclose, but from the best intelligence, I have reason to believe, the General is apprehensive that the state of South Carolina will fall into the hands of the enemy, owing in part, to many of his army being militia, whose times are near expired.

I understand the money, out of circulation, sent by Mr. Appleton is safe arrived here, and congress have ordered a like sum in other bills to be sent forward to exchange the same;¹ I'm sorry to find so great a part is likely to go again into circulation, but possibly the late resolutions of congress respecting a loan, may in part prevent it. It would give me pleasure to hear what the honble. court has done, in consequence of the resolutions of congress, for raising 45,000,000 dollars by taxes, for I think it is in vain, for us to suppose, that we can carry on the war by paper emissions much longer.

Yesterday congress resolved themselves into a comee. of the whole,

and the minister of France, was admitted to a private audience, which lasted for some time, but I'm not at liberty to add.

Mr. Lovell (my worthy colleague) having been so kind as to undertake, to send forward the Journals of congress from time to time, as he may have opportunity, is the reason I have not forwarded any for several weeks past.

I have the honor to be with the highest respect, Sir, your most obedient servant,
S. Holten

RC (M-Ar: Revolutionary War Letters). Addressed: "The Honorable, The President of the Council of Massachusetts Bay."

¹ See Samuel Holten's Diary, June 10, 1779.

John Jay to Richard Caswell

Sir, Philadelphia 13th July 1779.

I have the honor of transmitting to your Excellency, herewith enclosed, a copy of an Act of Congress of the 12th Inst, expressing their sense of the Proposal to march the North Carolina Troops from the main Army to the Southern States.¹

I have the honor to be with great Respect and Esteem, Your Excellency's, Most Obedient Servant.

LB (DNA: PCC, item 14).

¹ North Carolina had urged Congress to transfer some of the state's Continental troops with Washington's main army to South Carolina to meet a recent requisition for reinforcements to be deployed against the British forces in occupied Georgia. But Congress, citing "the season of year" as a danger to the lives of the men, denied the request and renewed its plea to the state "to afford the army in South Carolina the reinforcements of which they stand in need," although pledging to implement North Carolina's request "as soon as it can consistently be done." See *JCC*, 14:760, 819–20.

For Congress' continued interest in reinforcing the southern military department, see also Jay to Charles Scott, July 29, 1779.

John Jay to George Washington and Jonathan Trumbull, Sr.

Sir, Philadelphia 13th July 1779.

You will receive herewith enclosed Copies of two Letters this moment read in Congress.¹ The Intelligence they communicate being important is transmitted by Express.

I have the Honor to be, With the greatest Respect, Your Excys most Obedt. Servt.

LB (DNA: PCC, item 14). Addressed: "To General Washington. The same verbatim to Governor Trumbull."

¹ These enclosures consisted of an April 6, 1779, letter from Arthur Lee to the Committee for Foreign Affairs and an April 11 letter from Joshua Johnson to "William Carmichael or any of the Members of Congress for the State of Maryland in Philadelphia." Lee, writing from Paris, warned that "I have receivd Intelligence, which I think may be trusted, that it is just determined in the British Cabinet, to send over immediate orders for an expedition, thro' the Sound up Connecticut River. They are to land at Withersfield, & proceed by Land to New-haven-Bay, where they are to embark, after having plunderd, burnt, & distroyd all in their way." And Johnson, writing from Nantes and identifying his informant as Edmund Jenings, reported almost identical information. See PCC, item 78, 13:101-4, item 83, 2:148-51; and Wharton, *Diplomatic Correspondence*, 3:110-11. As an enemy attack on Connecticut, which had its origins in the importunities of former New York governor William Tryon rather than orders from London, had just been carried out on July 5-6, the warnings from France arrived too late to be heeded.

Arthur Lee had also sent another copy of his letter to the Committee for Foreign Affairs directly to Governor Trumbull. And Johnson had enclosed the information contained in his note to Carmichael in a similar letter of the same date to his brother, Gov. Thomas Johnson of Maryland. Consequently Congress also received Johnson's report second-hand from Governor Johnson a few days later, which Jay acknowledged in a letter to the governor of July 20. See PCC, item 14, fol. 152, item 70, fols. 331-34, item 102, 3:12.

For the British raids into Connecticut, news of which arrived in Philadelphia the same day Jay sent off these warnings to Washington and Trumbull, see Chauncey Goodrich, "Invasion of New Haven by the British Troops, July 5, 1779," *Papers of the New Haven Colony Historical Society* 2 (1877): 31-92; Elizabeth H. Schenck, *The History of Fairfield, Fairfield County, Connecticut from 1700 to 1800*, 2 vols. (New York: privately printed, 1905), 2:385-97, 430-38; and William B. Willcox, *Portrait of a General: Sir Henry Clinton in the War of Independence* (New York: Alfred A. Knopf, 1964), pp. 277-78. Numerous contemporary depositions collected to document the cruelty of plundering British troops, and a 36-page inventory of losses claimed by residents of Fairfield, Greenwich, New Haven, and Norwalk in the aftermath of this raid are located in PCC, item 53, fols. 165-202, 221-52.

Francis Lewis to Unknown

Dear Sir

Phila. 13th July 1779

I wrote you the 2d Instant by Capt. Benson,¹ since which nothing material has come to my knowledge more than is contained in the Several News-Papers I have now the honor to Send you.

Doctor Wetherspoon & Col. Attle (two of the Committee sent to Bannington) are returned, and Yesterday offered their Report to Congress, who were of opinion that it could not be Officially received as the two others from Connecticut did not join them at the Conference.²

Our Cruisers have of late been successfull, two Valuable prizes arrived here Yesterday & the day before. I have the Honor to be

Respectfully, Sir Your Obedt Humbl Servt, Fra. Lewis

RC (WHI: Signers of Declaration Collection).

¹ Lewis may have erred in writing "2d." This letter is endorsed "Letters from Francis Lewis of the 5h & 13h July 1779. (Private)," and Lewis also mentioned Capt. Henry Benson in his letter of July 5 to an unknown recipient.

² Congress' "opinion" is not recorded in the journals, but see Committee of Congress to John Jay, July 4; and Committee of Congress Report, July 13, 1779.

James Lovell to Samuel Adams

Dear Sir

July 13th. 1779.

If Genl. Warren is not at Hand open the inclosed. I shall add but little here. You know that we united in Opinion that it was trifling for such an Assembly as Congress to stipulate conditionally in regard to peace, as the *sine qua non* would be calf-carried¹ immediately out of the House, and no other Instructions would stand a Chance to be prevalent. I am more than ever convinced of such Consequences to be apprehended.

Our² Treaty of Alliance being *published* to please Chase & some others has had this pretty Effect viz. England seeing the VIII Article, & knowing both France & Spain disposed to Peace, & finding the latter *obliged* only to wait for an alternative Assurance of our Independence, will never be *explicit*, while a *tacit* Conduct of the great Point can be made to suffice.³

Your Experience of the Disposition of Persons & Things here will lead you to conclude readily that much Time will be wasted on a Decision ill becoming our former Spirit be made.

The Western Parade⁴ has nearly broken the back of our *grand* army. D'Estaing can not face Byron, Sth. Carolina is in a very poor Condition, can you then look for Spirit where you know it was not six months ago?

The Court of France is greatly pleased with our having but *one* minister there & that one Doctr. Franklin. We shall soon see that Confidence will "no longer be withheld."⁵ Here is a Field open anew. Whereas the Information is only to do Justice to some past Practices for the Words are in a *Comment* of Mr. G——'s⁶ upon the instruction given him to signify the Preference of *one* to *three*.

The Comtee. are returned from Vermont. Witherspoon & Attlee did not wait for the arrival of the others so that it proves an Abortion as we empowered *any three* to act. It is true the others when they arrived did not find any Thing further to do than what was signified to them by Letter from these the doings of whom they approve by their Arrival. But it is too delicate an Affair to proceed in without going by critical Lines. The People expect to be heard regularly before any formal Decision is made concerning them. This will "wound the Feelings" of some Gentlemen if not of a whole State if complied with; and it will mar all our past Endeavours not to comply with it.⁷

You have found Boston in the old Figure as to Territory. Is your Name & your Fame still the Object of the malice of "your Friend."⁸

The Circle of Mr. D Clymer's Acquaintance there had no Mercy on you "at his first Arrival."

Take time for it and you will discover the whole petty Plot. But do not begin an Attempt of Discovery if you doubt your Stock of Contempt being sufficient to blunt the Edge of all Chagrin.

Your Friend & humble Sert.

J. L.

[P.S.] I must desire you to *speak* to Capt. Bradford as I do not find that my Almanac proves my having *written* to him to Economize for me in the wear & tear Way.

RC (NN: Adams Papers).

¹ This phrase is probably based on the colloquial meaning of "calf"—an immature person. *OED*.

² At this point Lovell wrote in the margin "*Tace*," an admonition to preserve silence or secrecy on the subject of this sentence.

³ For information on Congress' decision to publish the Franco-American treaty, see Roger Sherman to Jonathan Trumbull, November 24, 1778, note. In his July 12 conference with Congress, Conrad Alexandre Gérard repeated the French government's displeasure with this action. *JCC*, 14:830.

⁴ That is, the expedition against Indian tribes in Pennsylvania and New York.

⁵ At this point Lovell again wrote "*Tace*" in the margin.

⁶ That is, Gérard.

⁷ For the reports of the committee on the New Hampshire Grants, see Committee of Congress to John Jay, July 4; and Committee of Congress Report, July 13, 1779.

⁸ Probably a reference to John Hancock.

James Lovell to James Warren

Dear Sir

Confidential July 13th. 1779

Three days ago I wrote to Mr. Adams inclosing Papers that show the Spirit of the Parties in a certain little-great Assembly.¹ I must ingeniously acknowledge to you that if I had been properly convinced that Gr. Britain was seriously disposed for Peace, I should have rested on an Instruction to our Plenipotentiary "*in no case to give up a common right of Fishery.*" But I have seen Reason to wish for a *Stipulation* that Britain shall not *disturb us in the Exercise of that Right*. If France can harbour no too-interested Views in regard to that grand Branch of Commerce, Britain surely would make every Advantage of our Inattention to it at the Hour of Peacemaking. And it has seemed to me as if some Persons here were much more bent upon coaxing than upon forcing a Peace from our Enemy. We are told that Passengers and Letters are put on shore in Nth. Carolina from a Vessel arrived in Cheseapeak which left Rochelle the 10th of May. We have not had a Line from our Appointments in France for a long Season. Mr. Gerard recd. Letters Via Boston, as mentioned in the Gazettes but they were not of very modern date.

We had a Communication from him in a private Audience Yester-

day but under the Injunctions of the House for Secresy, so that A & B will be stigmatized if they communicate the Substance in a private confidential Letter, should they be discovered, while C & D, under the Signature of *Americanus* or *O Tempora O Mores*; may publish the whole to the World in a News Paper.²

I find that Gentlemen in your Neighbourhood are rather backward to accept a Delegation to Congress. The Reasons lay fair to Conjecture. Some cannot in Conscience & Honor hold several Appointments incompatible with each other; & Some cannot bring themselves to consent to sacrifice Time, Health & Estate for a Station of Abundant Anxiety and an equal Portion of Obloquy. I presume that all new elected Members ought to come forward before an old one though he has had a whole years Respite. One of your State would have had a terrible time here for several months back if he had been an acting Deligate.³ He must have gone against the Interests of his Constituents or the Designs of his favorite old Associates.

Mrs. Lovell writes that *you* had a Confirmation of the Sth. Carolina good news by a Vessel in at the Hyannas. I am sorry for that preparatory Contract to what I now must tell you. The Print of last Tuesday is full on the Head of Disappointment; and Genl Lincoln writes me June 5th. "Matters are not going on right here & if this Department is not immediately attended to by Congress and an army sent more respectable than the one already here, this State must be lost. You will see by my Letter to Congress that by the [10th?] of Augst. there will be but few troops on the Ground unless reinforcements arrive, *which I have little reason to expect.*" I will not venture to write to you concerning the State of our *grand* army. I will leave that for Major Rice to tell with the Minute Anecdotes of the southern Department

With Esteem & Affection, Your hmb Servt.

J.L.

RC (Warren-Adams Papers).

¹ See Lovell to Samuel Adams, July 10, 1779.

² For discussion of the recent publications of "*Americanus*" and "*O Tempora! O Mores!*," who openly aired matters that should not have been made public under Congress' secrecy rule, see Lovell to Samuel Adams, July 8, note; and July 10, 1779, note 6.

³ The identity of this person is not known. The Massachusetts delegates who were elected but not attending in 1779 were Francis Dana, Timothy Edwards, and John Hancock.

Gouverneur Morris to John Chaloner and James White

Gentlemen

Phila. 13th July 1779

I have ordered about 6000 Barrils of Flour to be delivered to the issuing Commissary at Baltimore, you will make proper Arrange-

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ments for Disposition of it. You are to deliver to Mr. Holker with all possible Speed 1,000 Blls. of good sound Flour the Growth of this State.¹ Further you are to deliver to the Order of the Chairman of the Commercial Committee in this City 1,000 Blls. of the best of that Flour which will be received in Baltimore as above-mentioned for which Purpose as also for delivering to the same Order 2,000 Blls. of good Pork and 1,000 Blls. of good Beef fit for Shipping, this Letter is to be Considered as a sufficient Order either to your Department or to the Commissary of Issues as shall be most proper & effectual.

I am Gentlemen, your most obedt. Servt. Gouv Morris

RC (PHi: Chaloner & White Papers).

¹ Morris also wrote the following brief letter this day to Maryland governor Thomas Johnson directing the release of flour to Jean Holker, French agent of Marine.

"I am to request of your Excellency that the 5,000 Barrils of Flour which by a former Letter I desired might be kept in the State of Maryland may now be forwarded to Wm. Smith Esqr. of Baltimore who will receive them for Account of Mr. Holker Agent of the Marine of France." Red Books, MdAA.

Nathaniel Peabody to Josiah Bartlett

Dear Sir, N. 2. Philadelphia 13th July 1779

I Gratefully acknowledge the Rect. of Yur favours of the 19th ulto—with proposals for a form of Government in that State.¹ I have also had the pleasure of reading Yours of the 25th ulto. to General Whipple and am exceedingly pleased with Sundry matters of information Contain'd in those letters—(some of which I Shall beg leave to write more fully upon hereafter).

I think the State have Conducted prudently with respect to the New Hampr. Grants—part of the Committee Sent by Congress to investigate the Grievances, and Designs of the People on those Grants, have lately return'd to this place, their report not yet made known to Congress²—Suppose I Shall be able to give it to you in my Next. Col Ethan Allen and Mr Fay have lately been in this City whereby they missed of being present at the Conferrance at Bennington.³ I inclose You, a hand bill Seting forth the Conduct of the People on Said Grants—upon which the late Complaints from New York against them were founded.⁴ Also Several Newspapers. In my last to his Honr. Mr. President Weare I Sent Sundry papers, & hand bills hope they will arive Safe.

I am happy to hear the State have so readily Complied with the indispensably Necessary Resolves of Congress respecting a Tax, for their proportion, of the 45,000,000 Dollars, at this Critical Situation of our Finances; And for raising their Quota of Troops, as the most Vigorous exertions in the People, at this time is absolutely Necessary to appreciate our Currency, recruit, & support our, diminished,

Army; for without this it would be the height of presumption to expect a Short & Successful War, or a happy & honorable Peace. But my Dear Sir, when I take a retrospective View of those truly Patriotic Characters which at first Adorn'd the Councils of these United States And laid a foundation for a Vast Empire, An Asylum for Civil, and Religious *Liberty* whose Generous breasts Glowing with an ardour becoming free born Americans, Vanquished every idea incompatible with industry, frugallity, Virtue, and the Union, freedom, & happiness of their Native Country, and at the Same time reflect how the Scene is now Changed, when I See Banquiting, Pageantry, Luxury, dissipation and unhappy disputes & divisions, Spoken against and detested by every honest republican, Standing, or making rapid progress, where it ought not, I am filld with Solemn Surprize and naturally Conclude those Aspects portend Some dire Event, unless averted by a Speedy refformation!! But must dismiss the Subject for this time. Should I attempt to write you relative to the Situation of movements of our Army, apprehend it would by *no means* reach you till after the several News papers will have made such Circumstances Public. I think I may Venture to Conclude that Genl. Whipple will tarry here a few months longer unless it Should be more Convenient for a New Member to Come forward and Supply his place in Congress. This is to you but not to the world—hope you will write me as often as you Conveniently Can and Stimulate others to the like kind office.

Youl please to present my Compliments to His Honr. the President & the Rest of the Honorable Committe—and be kind enough to inform me in your next who they are.

I am Dear Sir, with unfeigned Esteem & Respect, Your most Obedient And Very Humbl. Servt. Nathl Peabody

[P. S.] Please to forward the inclosed Letter to Mrs. Peabody. By Desire of a young man I enclose one Letter also to Chase.

RC (PHi: Gratz Collection).

¹ Bartlett's June 19 letter to Peabody has not been found, but for additional information on the proposed New Hampshire constitution, see William Whipple to Bartlett, July 12, 1779, note 2.

² See Committee of Congress Report, this date.

³ Ethan Allen and Jonas Fay had been directed on June 12 by the Vermont Council "to Wait on the Honble the Grand Council of America." They presented their credentials and a copy of Vermont laws to Congress on July 2, but Congress refused formally to recognize them as representatives of an independent state and ordered the papers to lie on the table. See JCC, 14:794; and E. P. Walton, ed., *Records of the Governor and Council of the State of Vermont*, 8 vols. (Montpelier: J. & J. M. Poland, 1873–80), 1:305.

⁴ Peabody may have enclosed a copy of a pamphlet ordered printed by the Vermont Council on June 7, 1779, that included "The Captain-General's Orders of the 6th of May Last, to Colonel Ethan Allen, Together With An Extract of the Proceedings of the Adjourned Superior Court, Held at Westminster, in the South Halfshire of the County of Cumberland, on the 26th of May Last, and His Excellency's Proclamation of the 3d Instant." See Evans, *Am. Bibliography*, no. 16,653.

Rhode Island Delegates to William Greene

Dear Sir,

Philadelphia July 13th 1779.

This Day a Letter was read in Congress from Genl. Washington, informing that he had called Glovers Brigade from the State we have the Honor to represent, upon his hearing that an Embarkation had taken Place of Part of the Enemies Force at Newport.¹ This Intelligence was very alarming to Us especially as the Enemy are in considerable Force in the Sound, had attacked and entered New-haven, from whence they might soon reach Newport Harbour & joind with the Forces there ravage Our State, and even the Massts. State, perhaps to their Capital, tho' they appear to be very inattentive to it.

We moved that the Genls Letter might be committed to a special Committee; And that they take into immediate Consideration the present Situation of the State of Rhode Island &c.² This is done—But We feel Ourselves much at a Loss, since we cannot expect any Releif from Connecticut while their Whole Coast is liable to the Depredation of the Enemy—And since notwithstanding every Argument has been made use of by Our State & by Congress upon New-Hamshire & Massts. Bay without scarce any Effect. And Altho' their very Salvation depends upon preserving the small Remains of Our State as a Barrier to Their Own. We wish for every Light upon this Subject, & for as good an Account as possible of the Numbers of the Enemy, Our Force, & what Addition We have any Prospects of raising ourselves, or procuring from Our Neighbours; As we would not be wanting in every Exertion for the Salvation of the State, and the Good of Our *Neighbours* however lost to it *They* may be, Or forgetful of their former deplorable Situation & the generous & noble Exertions of Our State in that Instant. We are well informed that five Ships of the Line, several Frigates & about seventy Transports sailed from France in May for Martinico. The Captn. of a Vessell arrived at Maryland, & who sailed with the above Fleet says there were between ten & Thirteen Thousand Troops on Board the said Transports.³

We have also very agreeable and interesting Intelligence from Europe, but entirely Political, and such as at present we may not communicate. We would say that nothing will prolong this War, or produce a very disadvantageous Peace; but the Want of publick Spirit, a Lost Sense of Our Own Interest, The Want of reviving the Credit of the Currency, which must be done by chearful Taxes & spirited Loans: By great Exertions of the particular States & the People within Them—And as much as any Thing by filling up the Battalions—Placing a Formidable Army in the Field; and pushing with Vigour & Spirit wherever the Appearance of the Enemy shall make it necessary. Heaven has covered Our Fields with a Garment

of Plenty. Our Barns are fast crouding with the Substantials of Life; and while Health smiles around Us, let not Our Nerves be unstrung, Let Us not forget that We still have an Enemy, an implacable Enemy to contend with for the Continuance of all our Blessings—For Liberty, Peace and a glorious Independency. With Earnest Desires that we may not Forfeit such Blessings, but that this Year may end with Peace in all Our Borders; but till Then, that we recall the Remembrance of Our first Exertions and reanimate Ourselves into great and noble Self Denials and conspicuous Actions; We are Your Excellencys most obedient and very humble,

Hy Marchant
John Collins

[P.S.] We enclose Your Excellency the Weekly Journal, which has been sent in course ever since they were published weekly to June 5 1779.

RC (R–Ar: Letters to Governors). Written by Marchant and signed by Marchant and Collins.

¹ General Washington had reported in a July 9 letter that because of the British raid in Connecticut he had “directed Glover’s Brigade to halt in Connecticut at this interesting Crisis till farther Orders.” PCC, item 152, 7:519–23; and Washington, *Writings* (Fitzpatrick), 15:389–93.

² Marchant, along with John Armstrong and Samuel Huntington, constituted this “special committee.” It remained inactively in existence until November 13, 1779, when it was discharged on its own motion after the British evacuated Newport, R. I. JCC, 14:822, 15:1266. See also Rhode Island Delegates to Greene, August 10, 1779.

³ See William Whipple to John Langdon, July 12, 1779, note 1.

John Dickinson’s Draft Circular Letter

Sir, [July 14? 1779] ¹

It is judg’d expedient by Congress immediately to communicate the following very important Intelligence to the several United States.

The Minister of France informs Us, “that the Exertions of these States are necessary to avert their Dangers, & prevent a prolongation of the present Contest—that his Master expects Efforts, that will on our part produce a vigorous & successful Campaign and bring the Common Enemy to a proper sense of the Disappointments he shall meet with.”

By all the Advices We have receiv’d, it appears, that Great Britain is determined to make a most strenuous Attempt before the Campaign closes, *for obtaining a decided superiority on this Continent*, that *for this purpose* she sends out a large Reinforcement, and has rejected the Mediation offered by Spain.

If she shall be able to carry this Design into Execution, it may be attended with very unhappy Consequences, as it will probably engage foreign powers to form Alliances for her support in this War.

Samuel Holten's Diary

[July 14–15, 1779]

14. Wednesday. It is said the enemy have burnt Fairfield in Connecticut.¹

15. Thursday. I attended the funeral of the Honl. Geo. Ross Esqr. at 9 oClock A. M.² I recd. by Mr. Millet a letter from Colo. Hutchinson & Mrs. Holten.

MS (MDaAr).

¹ John Fell indicated that news of the July 7–8 attack and burning of Fairfield was sent to Congress by Roger Sherman. John Fell's Diary, July 15, 1779.

² George Ross, a former Pennsylvania delegate to Congress, had recently been appointed judge of the state's admiralty court.

John Jay to Horatio Gates

Sir,

Philadelphia 14th July 1779

Altho' Congress have a high Sense of Capt. Bancke, yet the present Arrangement of the Army will not admit of their employing him agreeable to his wishes. By advancing him a sum of money they have put it in his power to return to Europe, & till a proper Opportunity shall offer, refer it to your discretion to employ him in any manner consistent with the Good of the Service and the Captain's Inclinations.¹

I feel much for this gentelman's distressed Situation, & am happy that Congress have placed him under the Patronage of a Gentleman so well disposed to releive him. The Capt. has a copy of the Act of Congress on the Subject which he will communicate to You. I should enclose one, but the Secretary has not yet sent it, & as the Capt. will set out before the office opens, I must defer it till my next dispatch. I have the honor to be Sir, Your most Obedient & Humble Servant.

[P.S.] Since writing the above I have received a copy of the Act of Congress, And transmit it herewith.

LB (DNA: PCC, item 14).

¹ Congress' denial of John Valentine Bancke's petition for a Continental commission was tempered by the grant of \$3,000 to him "in consideration of . . . the expenses he has incurred by coming to these States and . . . to enable him to return to Europe." *JCC*, 14:816, 847.

Bancke had also been granted \$500 previously, which was the subject of the following brief July 19 letter from President Jay to Joseph Clarke, Continental loan officer for Rhode Island. "You will receive herewith enclosed a copy of an Act of Congress of the 8th Inst. directing a warrant to issue on the Treasurer in your favor for a sum of money to be paid to Capt. John Valentine Bancks." See *JCC*, 14:811; and PCC, item 14, fol. 151.

John Jay to the States

Sir, (Circular) Philadelphia 14th July 1779.

I have the honor of transmitting to your Excellency herewith enclosed a copy of an Act of Congress of the 9th Inst.,¹ vesting the Executive Powers of each state with further Authority respecting Persons employed in the Quarter Master General, or purchasing, or issuing Commissary General's Departments²—And am, With great Respect, Your Excellency's most Obed't Servt.

LB (DNA: PCC, item 14).

¹JCC, 14:812–15. This July 9 resolve not only vested “further authority” in the states, but also “earnestly requested” them “to make the strictest enquiry” into the conduct of every quartermaster and commissary officer in each state. The decision reflected Congress’ inability to wield and direct Continental authority or adequately supervise its agents, and predictably elicited a pained response from Quartermaster General Nathanael Greene, who concluded that placing such power over his deputies in the hands of state executives would give “the last finishing stroke” to his department. The immediate background of this decision, Greene’s response to it, and Congress’ rejection of his recommendations for relief from the resolution are discussed in Risch, *Supplying Washington’s Army*, pp. 49–50. For another analysis of Congress’ attempts to supervise commissaries and quartermasters, which focuses on the popular belief “that corruption was widespread in the staff departments” but challenges the view that the July 9 resolve simply represented “an abdication of responsibility by Congress,” see E. Wayne Carp, *To Starve the Army at Pleasure: Continental Army Administration and American Political Culture, 1775–1783* (Chapel Hill: University of North Carolina Press, 1984), pp. 113–24.

²Jay also sent copies of this resolve to Nathanael Greene and Commissary General Jeremiah Wadsworth with brief cover letters of July 15. PCC, item 14, fol. 150.

Henry Laurens to Jonathan Bryan

Dear Sir. Philadelphia the 14th July 1779.

I received but a few days Since your Letter of the 20th June. Almost in the same moment in which your favor by Genl. Thomson reached me, I was informed that your self & Mr. Bryan your Son were gone from New York under a flag for Georgia. This false intelligence restrained my pen & stopped the progress of a Letter from Mrs. Bryan which will now accompany this. I have cut the paper from the Seal, knowing the impropriety of attempting to send sealed packets to a prisoner of War without special permission, but I am totally ignorant of the contents, the signature only excepted. I have before me a Letter from Mr. Houston dated the 5th June Mrs. Bryan & your family were then well.

Congress will not consent to exchange Citizens taken in the manner you were captured, all Solicitation on that head would be fruitless. If the Commander in Chief of His Britanic Majesty’s forces at New York will permit you to return to Georgia on parole & your Son also,

I will pledge my honor that a suitable exchange shall be made or that both shall be forth coming whenever a demand shall be made; & when I reflect on the many instances of similar consideration which on our part have been extended to British Officers who have been in peculiar circumstances, I cannot help concluding that an appplication to Sir Henry Clinton will meet with success.¹

I am persuaded if Sir Henry knew of the many acts of kindness which as an individual I have shewn to British prisoners he would not hesitate a moment, even upon my request for your enlargement on the terms abovementioned.

Your Letter of the 20th June intimates that you had sent others, for your Family & friends, none such came to my hands, you must either have omitted them, or they have been arrested in their passage.

You Sir, who have been Schooled in the doctrine of Christian fortitude, will not suffer your Spirits to sink under a light weight, reflect that you are on Long Island, where you enjoy wholsome air & have a proper scope for exercise, the contracted sphere of a Ships hold occupied by an hundred inmates might, from an old Man, extort a groan. In your present situation be thankful, a little practice will make you chearful.

My Compliments to your Son & beleive me to be with an affectionate regard, Dear Sir &ca. H. L.

[P. S.] I shall write in two or three days to Mrs. Bryan & Mr. Houstoun.²

Tr (G-Ar). In the hand of James Custer and addressed by Laurens: "Jonathan Bryan Esquire of Georgia now Prisoner of War, Long Island."

¹ Although he had originally been informed by Georgia governor John Houstoun of Bryan's capture by the British, Laurens had also heard directly from Bryan in a letter of February 7, 1779, which is in PCC, item 78, 3:283-86. In it Bryan had recounted the circumstances of his capture and the difficulties he was having in coping with confinement on board a prison ship—as he was "considerably advanc'd of Seventy Years."

Despite Laurens' optimism, Bryan was unable to secure his release until the autumn of 1780, in the aftermath of which he appealed for assistance to the delegates of South Carolina and Georgia for compensation for losses he had suffered before his captivity. The committee to whom his case was referred reported favorably on his claim, and on November 25, 1780, Congress endorsed the committee's recommendation. See *JCC*, 18:1031, 1053, 1092, 1094, 1099; and *PCC*, item 59, 3:37-38, item 78, 4:41-44.

² Only Laurens' July 16 letter to John Houstoun has been found.

Henry Laurens to Horatio Gates

Dear sir,

Philadelphia 14th July 1779

I had the honor of addressing you under the 29th Ult. & since that, of receiving your favor of the 26th by Capt. Banck.¹ This Gen-

tleman returns from Congress seemingly well pleased & I apprehend the Resolve in his favor will enable you to keep him so.² The Marquis de Britaigne will think himself the most unfortunate of all the zealous adventurers to America; when he arrived in Charles Town he found the incorporated french Volunteers under the Command of a Gentleman of their own choice, This Gentleman's honor will bend him to them until the temporary service expires & upon the arrival of that event the Corps will disband & every Man retire to his vocation. Our latest advices from So Carolina are dated the 10th June. You will have seen a detail of them in the News Papers of last Week, there is indeed a person at Edenton who avers that he left Charles Town on the 22d Ult. & that the Troops under General Prevost were then prisoners of War—this is within the line of possibility & no more, therefore it makes no impression on me. Colo. Laurens complains, that he could not prevail on the Council by all his military reasoning to reinforce General Lincoln from the Garrison whence he judged a considerable body of good Men might with perfect safety have been detached, 'tis possible he might have succeeded in a subsequent application & it is probable that General Lincoln had received aid from those Men of the Militia who had upon General Prevosts first entering the Country fled to their several homes to take care of their families & effects, the number of these was considerable. I am sure if the people in that Country are in earnest they can bring into the field in three weeks 10000 good Men. All those in the southern district whose Negroes had been carried off, their Houses burnt & Plantations ruined will fight the stronger in order to revenge those Insults & injuries—upon the whole I will grant the Waif Man's account to be in part possible but I cannot admit that 3500 Troops under British Commanders & within three Miles of their Ships could have been all made prisoners.

We have at this moment certain subjects on the tapis which demand all the wisdom virtue & fortitude of America, I wish I were with you & at liberty to converse freely for a single hour. I wish, *even more earnestly*, a Man of superior talents & abilities were in my green Chair.

I am persuaded all will come right, but not until we shall have waded & plunged through a good deal of wrong & perhaps not until we shall be awakened by some rude stroke. Am I wrong Sir in this Idea, that in Young Republics, Citizen-Soldiers of high rank & great experience ought upon extraordinary occasions to be consulted? I in-treat you Sir do not communicate this to Rivington, he will put ten thousand false interpretations & glossings upon the best meaning. I had as lieve be tried by the Inquisition as by that fellow & certain of his adherents—in times like these, Men who feel, will speak; every Man who loves his Country & is acquainted with the present state of her affairs must feel & every such Man ought in decent terms to speak his honest feelings.

Let us look around, & inquire into the State of the Army, the Navy, the Treasury; the view is truly affecting, but what is most of all to be deplored is the torpitude of national virtue. How many Men are there who now in secret say, could I have believed it would have come to this, I would ———. I am not one of that number. I had my apprehensions, & signified them in Fludyer Street Westminster in October 1774.³ To a friend in So Carolina, nevertheless, I said, I'll go & risque all.

Capt. Bancks calls on me at his latest moment. I must not detain him, the day is growing warm.

I have the honour to be, with very great Esteem & Regard, Dear sir, Your obliged & obedient servt. Henry Laurens

RC (NHi: Gates Papers).

¹ Gates' letter to Laurens, which bears the dateline "Providence June 26th 1779," is in the William Gilmore Simms Collection of Laurens Papers deposited at MHi.

² For the case of John Valentine Bancke, see John Jay to Gates this date, note.

³ For his expression of such sentiments as he was preparing to return to America from England in October 1774, see Laurens' October 21 letter to John Delagaye, in Henry Laurens, *The Papers of Henry Laurens*, ed. Philip M. Hamer et al. (Columbia: University of South Carolina Press, 1968–), 9:596–97.

John Fell's Diary

Thursday July 15th [1779].

Commercial Committee. Congress. Letters from some of the Commissioners in France were read wherein they advise of the English Ministry giving Orders to their Army here to Land at Wethersfield and burn and destroy all in their way to New Haven and there imbarque.¹ Letter from Mr Shearman mentions the Enemy having Burnt Fairfield, the whole Town except the Church.

A Clothier General was appointed by Ballot. Coll. .²

MS (DLC).

¹ See John Jay to George Washington and Jonathan Trumbull, Sr., July 13, 1779, note.

² For the appointment of Lt. Col. Persifor Frazer this day, see John Jay to Frazer, July 17, 1779.

John Jay to George Washington

Sir, Philadelphia 15th July 1779.

I have been honored with your Excellency's favor of the 9th Inst with the papers referred to in it—they were immediately committed.¹

In a late letter I informed Your Excellency that Peter Wikoff Esqr. had been appointed Cloathier-General; That Gentleman not approv-

ing the terms of the appointment has declined it, & Lieut Colonel Percifer Frazer was yesterday elected.

Your Excellency will receive herewith enclosed a copy of an Act of Congress of the 13th Inst. for forming Captain McLane's Company & the dismounted Dragoons of Major Lee's Corps into a fourth troop to be added to that Corps.² I have the honor to be with the greatest Respect & Esteem, Your Excellency's most Obed Servt.

LB (DNA: PCC, item 14).

¹ *JCC*, 14:822. Washington's July 9 letter is in PCC, item 152, 7:519–24, and Washington, *Writings* (Fitzpatrick), 15:389–93.

² For Congress' resolve formally annexing Capt. Allen McLane's company from the Delaware Regiment to the dismounted dragoons of Maj. Henry Lee's Legion, see *JCC*, 14:822–23; and Wright, *The Continental Army*, pp. 273, 348–49. This day Jay also enclosed this resolve with a brief letter to Henry Lee, who had recently sought congressional clarification of McLane's status. See PCC, item 14, fol. 149, item 78, 14:265–70. For evidence that McLane and some of his officers had attempted to prevent the merger of their company with Lee's corps that had previously been ordered by Washington, see Delaware Delegates to Allen McLane, July 5, 1779.

Francis Lewis to Robert R. Livingston

Dear Sir,

Phila 15th July 1779.

I embrace this opportunity by Mr. Rosevelt to transmit you the several news papers lately published together with abstracts of the proceedings in Congress, which by their Resolves are hence forward to be published weekly, from these you will be enabled to collect most of the material occurrences transacted here.

By a Vessell that lately arrived from Nantes Congress have received letters from their Commissioners at Paris,¹ informing that the British King is still positive, and obstinately bent upon carrying on the War with Vigor, this and perhaps another Campaign in America, but in their opinion his resources will be inadequate to the end. They also inform Congress that the expedition against New Haven was planned in the British Cabinet, but being novices to the Geography of the Country, the Troops were by that plan to proceed up Connecticut river to Wethersfield, after distroying that, proceed across the country and distroy Fairfield & New Haven, they were repulsed at the latter, but effected their diabolical plan at Fairfield, which you have ere this, undoubtedly heard the particulars off.

From these their proceedings, it is evident that they purpose carrying on a predatory war against these States, therefore in my humble opinion it would not be advisable at present for Mrs. Livingston to prosecute her plan of building, as first intended.

We have of late several arrivals both in this and the Chesapeake Bays, so that the prices of foreign Commoditys begin to lower. The resolutions of the various Committees has added to the cause, these

resolutions for regulating the prices will I believe become general, as the Town of Boston has unanimously come into similar resolutions, & transmitted them for the approbation of Congress, & I hope it may have the desired effect. The Army too has adopted the mode.

Youl oblige me in communicating this with the perusal of the news-papers to the Governor, to whom please to present my Compliments, as also to your Lady & the family at Clear Mount, I am sincerely, Sir, your very Humble Servant, Fra. Lewis

P. S. Permit me to observe, that the little state of New Jersey allow their Delegates twenty dollars each per diem, Virginia forty. The Massachusetts Bay allow a Table & all other expences. A New York Delegate cannot furnish a Dinner & Clean shirt, for his twelve dollars, at the present depreciated rates of our money, which you must be convinced off when last at this place.

RC (NHi: Livingston Papers).

¹ See Committee for Foreign Affairs to Arthur Lee, July 16, 1779.

North Carolina Delegates to Richard Caswell

Sir

Philadelphia July 15th. 1779

Immediately on receiving your favor of May 26th last, we laid before Congress the Several Matters wherewith you charged us;¹ but, unavoidable interventions have prevented our obtaining their Resolution on them all, previous to the date hereof.

The intense heat of this Season, and the great length of the march, make it almost certain, that an order for the North Carolina Troops to Join the Southern army, would be attended with Consequences, fatal to their health, and Such as must deprive the public of their Services, every where, during this Campaign, if not forever, it was therefore Judged most expedient, to postpone Such orders, until they can be executed with out Such imminent hazard of Inconvenience.² The Resolutions relative to the decried Emissions,³ are the best which we have been able to obtain; altho, in our Opinion, they are not altogether So well Calculated for the relief of the Sufferers, especially in our Country, as they might have been. But the measure, by which they were decried, and from which great public good was expected, has Still many advocates in Congress, notwithstanding the Experience of all parts of America groans under the Evils it has produced.

The Congress has, with great reluctance, granted, even the partial payment of your draught in our favor.⁴ The Continental Currency is so much depreciated, that every one Sees the Necessity of putting an entire Stop to emissions; and relying on the Exertions of the States for Supplying the public Necessaries. The Power of the States,

internally, is much better understood, much better Established, much more Simple and vigorous in its Operations relative to public Credit, and, let us add, much more relied on, than that of Congress. It is therefore more Competent to give Securities, which will give value to paper Currency, than Congress, in their unconfederated State, can give. The Congress, Sensible of this, and also Sensible, that increasing the Continental Emissions must be attended with very injurious Consequences, have taken up Ideas very different from Such as heretofore prevailed. Should the War continue longer than the present Campaign, the States must furnish the Supplies, either by Contributions in kind, or by Taxes in money; and these are the chief Resources which the Congress have at present in View. They will probably have recourse also to Loans; a measure only Justifiable on principles of Necessity; which is burthensom and unequal in a very high degree; and which, it is much to be wished, may be avoidable. For the present Campaign, the Congress wish to provide by Loans, and by what Remains of the former Emissions not yet expended. While intent on this object, it was a great disappointment to them to Receive so great a Requisition, as two millions and a half, from one of the States; and, many deemed it better, to let any one State Struggle through the want of money, than to Send them any from the public Treasury, in its present Circumstances. The resolution was at length taken, to advance One Million; and we were obliged to be Satisfied therewith. It is hoped, that when the State is fully informed of the State of affairs, She will provide for her Exigencies some other way, and forego the remaining part of the requisition. We Confess this to be our wish; and doubt not it would be the wish of our Constituents, were the difficulties of our Finances as well known to them as to us. The Sum granted cannot be paid before the begining of August; and, as Soon as possible, it Shall be Sent forward. If the residue cannot be dispensed with, we Shall make a future application to Congress, but, we are far from being Sanguin in our hopes of Success.

We thank your Excellency, for the further information you have given us, relative to the proceedings of the assembly. We feel the highest Satisfaction, from the generous provisions made for our fellow Citizens in the army. Permit us, however, to represent to you Sir, that the Intentions of the assembly with Respect to the Cloathing for the officers, are far from being carried into due Execution, and we beg leave to Recommend it to your attention; relying on your Exertions in behalf of So meritorious a body of our Citizens. The Assembly have always manifested, Intentions very liberal, in providing for the Expences of their Delegates; but, it is impossible to Judge, how adequate any allowance will prove, to the unavoidable disbursements. We Sincerely wish, that all our Citizens were well armed; and, to press the Necessity thereof on our fellow Citizens. The Predatory

war, which we may apprehend hereafter, if hostilities shall continue, will require, every where vigilance, readiness and vigor. We are convinced, that So far as the first, and last can avail, our Country will be Safe while you preside over her, but, without Arms, our virtue and vigilance can not avail much. We wish it to be thought an object of the highest Consequence to Supply them. You will See, by the inclosed papers, that a descent has been made in Connecticut; and we have advice from Europe, that it was planned in the British Cabinet.⁵ This is a proof, at once, of the predatory designs of the Enemy, and of that imbecility which prevents them from carrying on Operations of greater vigor, and more competent to their design of Conquest. We wish we could give you a Satisfactory Idea of our foreign affairs; but they are Still in So obscure, and undecided A State that this is impossible. We are also yet under Strict Injunctions of Secrecy: but, Should decisions be made, deeply affecting the happiness and Safety of our Country, we Shall feel ourselves under obligations, Stronger than any other, of laying the whole of the affairs before the State.

We are Sorry to find, that we differ in Sentiments with Some of the Delegates of Jersey, Pennsylvania, Delaware and South Carolina, on Questions, which are of the utmost importance to all, but, peculiarly, So to them, and to us, as States possessing Internal Staples, and being composed chiefly of Husbandmen. Jersey, Delaware and South Carolina, on the Questions alluded to, are usually divided; Pennsylvania votes differently from us, but, we have the Satisfaction to find, that New York, Maryland, and Virginia Concur with us. We lament that our Eastern bretheren have, at present, objects in view, in the pursuit of which we cannot concur with them; tho we feel every possible disposition to unite with them in all pursuits, not inconsistent with the Safety, and happiness of our Country. We excuse them, because the objects are, to them, Immediately Interesting; but, in our Opinion, not so much so to all, or to any of the States as to Justify Some measures that are under Consideration.

We have the honor to be with great respect yr. Exys obt. Serts,

John Penn

Thos. Burke

Wm. Sharpe

[P.S.] Three hundred and thirty Dollars have been advanced to the Express for which he has given a Receipt to be accountable to you.

General Hogan desires the inclosed to be Submitted to your Inspection, in order to give an Idea of the Expence of Trimmings, which not having been sent with Some Cloath which came forward from the State, puts the officers under the Necessity of purchasing them here, at an Expence which very few can bear.

RC (NcU: Caswell Papers). Written by Burke and signed by Burke, Penn, and Sharpe.

¹ Caswell's letter, enclosing several assembly resolutions that were read in Congress on June 23 (*JCC*, 14:760), is in *N.C. State Records*, 14:102–4. The journals of the House of Commons for the dates the resolutions were passed have not survived. From Caswell's description they included four of May 14–15 “requiring the Troops of this State in Continental service to be ordered to the assistance of South Carolina”; requesting \$2.5 million to defray the expense of recruiting, clothing and marching the troops; empowering the governor to draw the \$2.5 million from the Continental treasury; and requesting further time for bringing in the decried emissions of May 1777 and April 1778.

² See John Jay to Caswell, July 13, 1779.

³ These are doubtless the resolutions of July 2, for which see *JCC*, 14:795–99.

⁴ See *JCC*, 14:826–27.

⁵ See John Jay to George Washington and Jonathan Trumbull, July 13, 1779.

Thomas Burke's “Epistle”

[July 16? 1779]

AN EPISTLE

Hail, mighty Thomas!¹ In whose works are seen
 A mangled Morris and distorted Deane;
 Whose splendid periods flash for Lees defence,
 Replete with every thing but common sense.
 You by whose labors no man e'er was wiser,
 You of invective, great monopolizer;
 You who, unfeeling as a Jew or Turk,
 Attack a J—y, a P—a, and a B—ke;²
 You who, in fervor of satiric vein,
 Maul and abuse the mild and meek Du—e;³
 And eager to traduce the worthiest men,
 Despise the energy of Drayton's pen.
 O say, what name shall dignify the lays,
 Which now I consecrate to sing thy praise;
 In pity tell, by what exalted name
 Thou would'st be damn'd to an eternal fame.
 Shall Common Sense, or Comus greet thine ear,
 A piddling poet, or puffed pamphleteer;
 Behold around thee, how thy triumphs lie,
 Of reputations hosts before thee die;
 On envy's altars hecatombs expire,
 And Faction fondly lights her pupil's fire.
 That pupil most devoted to her will,
 Who for the worthless wags his quibbling quill;
 And with a true democracy of spirit
 Bravely attacks the most exalted merit.
 Thou pupil worthy her attentive care,

By Satan granted to her earnest prayer;
When on the brink of fate smooth Adams stood,
And saw his Arthur flound'ring in the flood.
While plausible Richard, in whose gloomy breast
Revenge and terror stood by turns confest;
Doubtful his brothers measures to defend,
With Berkenhout their confidant and friend;
Or breaking thro' the weak fraternal ties,
To save himself the doctor sacrifice.
'Twas in that desperate, the important hour,
When Faction, trembling for her tott'ring pow'r,
Thus pour'd her vows—"Author of ev'ry crime!
Whose pangs shall last beyond the reach of time;
By all those crimes, and all those pangs, give ear,
And if, O sire, thy daughter e'er was dear;
If e'er obedient to her father's call,
The crowds of Faction fill'd his spacious hall;
If e'er the populace by her possest,
Have plung'd their daggers in a patriot breast;
And forc'd humanity herself to fly,
With banish'd Justice to yon azure sky;
Attend, attend, attend, my fav'rites see,
Their hopeless eyes are fix'd alone on thee;
Oh help them, save them, or my sway is o'er,
Opprest like thee, like thee to rise no more."
The prayer was heard, the dreadful monarch spoke.
While Hell convuls'd e'en to her center shook:
"Since on mankind to fix my iron reign,
Nor sin, nor death suffice, I give them *Payne*."
Say, mighty Thomas, on what awful day
You first beheld the morn's resplendent ray;
That day to envy shall most sacred be,
And all her squinting sons shall wait on thee.
But sure no mortal mother did thee bear,
Rather a cholic in the prince of air,
On dusky pinions borne o'er Æther's plain,
Expell'd thee from him with a griping pain.
For as Minerva, queen of sense uncommon,
Owed not her birth to goddess or to woman;
But softly crept from out her father's scull,
At a small crack in't when the moon was full;
So you, great Common Sense, did surely come
From out the crack in grisly Pluto's bum.
Such as thy origin such be thy fate,
To war 'gainst virtue with a deadly hate;
By daily slanders earn thy daily food,
Exalt the wicked, and depress the good;

And having spent a lengthy life in evil,
Return again unto thy parent Devil.

MS not found; reprinted from the *Pennsylvania Evening Post*, July 16, 1779.

¹ That is, Thomas Paine, who had since December 1778 been engaged periodically in the public debate over the Deane-Lee controversy, and recently over the question of American claims to the northern fisheries. For the context of the debate over the latter issue in which Burke chose this moment to attack Paine, see Gouverneur Morris to Benjamin Towne, July 9, 1779, note 1. Ironically, Burke's "Epistle" appeared in this issue immediately following Paine's public response to the attack on him by "Cato" (Gouverneur Morris) that Towne had printed in the July 9 issue of the *Post*. It has been analyzed in the context of his verse writings in Richard Walser, ed., *The Poems of Governor Thomas Burke of North Carolina* (Raleigh, N.C.: State Department of Archives and History, 1961), pp. 50–51, 66–67.

² That is, John Jay, William Paca, and Thomas Burke.

³ James Duane.

Committee for Foreign Affairs to Benjamin Franklin

Honble. Sir,

Phila. July 16. 1779

We find from the Minister of France that your Appointment has given high Satisfaction to his Court, and we are encouraged to expect Proofs of its most confidential Reliance upon your Character.¹ We have not had a Line from you of this Year's date; indeed I believe your latest is of Novr. 7th 1778. Two days ago we received several Letters from Doctor Lee and one from Mr. Izard; the latter of March 4th, the former up to April 6th. The Vessel was from Rochelle about the middle of May. It was unfortunate that we did not get the Information of Mr. Lee earlier respecting the Enemy's designs against Connecticut. They had accomplished Part of them a few days before. Will no one under a Commission from these United States retaliate on the Coasts of England for the Burning of our beautiful Fairfield? A single Privateer might, I think show, there, a striking Sample of the Species of War now carried on by Britain against America.

We are told this Evening that Genl. Lincoln has had an Advantage over Prevost in an open Field Fight in which the Militia behaved to Admiration, on the 20th of June.²

We forward two Letters for "Our great faithful beloved Friend & Ally, Louis sixteenth King of France & Navarre."³ We submit, however, the Superscription to your Judgement. You will manage the Invoices by your best Abilities.⁴ The Probability of Success was held up to us by one who doubtless makes known by this Opportunity how much our present Circumstances render such Aids essential to us.

A Report of the Treasury respecting the just Stipend of our late & present Ministers at foreign Courts is not quite determined upon. A

Determination is peculiarly necessary as to Mr. W. Lee & Mr. Izard after the Proceedings here of June 8th.⁵

We have put up for you a Set of the Journals which have been printed this Year, adding some spare Numbers to compleat what have been sent in part of the 15.

Presuming from Report and a Passage of a Letter from Doctr. Lee that Mr. Adams is on his Return hither, We do not write to him now. Should he remain in France we beg he may be made acquainted with the Cause of our Omission.

Good as this Opportunity is we expect very shortly a much better when we shall renew Assurances of being, Honble. Sir, Your most humble Servants,
James Lovell
for the Committee of for. Affairs.

P. S. The Letter & Papers respecting Mr. De Francy's Agency were only this day delivered to us from the Secretary's Office; but Mr. De Francy has had Sextuples.

RC (PPAmP: Franklin Papers). Written and signed by James Lovell.

¹ The French minister, Conrad Alexandre Gérard, had relayed the comte de Vergennes' approval of Franklin's appointment as sole American commissioner to France during his July 12 conference with Congress. In his February 19 dispatch to Gérard, Vergennes had written that "nous avons fort aplaudi a ce choix." Meng, *Gérard Dispatches*, p. 539.

² See Samuel Holten's Diary, this date.

³ See John Jay to the King of France, July 10, 1779.

⁴ These "Invoices" consisted of the following documents, which Franklin delivered to the comte de Vergennes with a letter of September 18, 1779. (1) "Estimate of Articles to be Imported which are in the Department of the Board of War & Ordnance," of 45 pages. (2) "Materials for a 74 Gun Ship to be sent to Portsmouth in New Hampshire," of 6 pages. (3) "Materials for a Frigate of 36 Guns," of 6 pages. (4) "Clothing to be imported for the Navy," of 2 pages and endorsed "One half of the Clothing to be sent to Boston and the other to Philadelphia." The three naval estimates are also endorsed: "Navy Board Middle District, Philada. 15th July 1779. By order, Jos. Pennell Secy." Archives du Ministère des affaires étrangères: Correspondance politique, États-Unis, 9:34, 36, 37, 10:25, 26.

⁵ William Lee and Ralph Izard had been recalled as commissioners on June 8. See Committee for Foreign Affairs to Ralph Izard and to William Lee, July 17, 1779.

Committee for Foreign Affairs to Arthur Lee

Sir

Philada. July 16 1779

Two days ago several of your Letters came to hand the latest being of April 6th.¹ It is much to be regretted that this one in particular did not earlier arrive.² One Copy of its Contents was sent immediately to Genl. Washington and another to Govr. Trumbull but alas, too late! Fairfield had been destroyed by the Fire of the Enemy. We are mistaken however if that Enemy does not find the unprofitableness of this Kind of Warfare towards their main purpose. America

must be dead indeed to all proper Spirit if such doings will not render her both Vigilant & active, as in the beginning of the Contest.

It is matter of much Conjecture why you have not been able for some months back to give us interesting Accounts from Spain: All we know is through Mr. Gerard.³

We have sent so many Setts of the Journals of Congress that you will doubtless get one. They are chiefly directed to Doctor Franklin. You will find the parts in which you are personally interested to be under the following dates, April 6, 15, 20, 21, 22, 26, 28, 30, May 3, 22, 24, 25, 27, June 8.

We shall speedily write again. In the mean Time be assured that we are with much Regard, Sir, your humble Servants,

James Lovell
for the Comtee.

[P.S.] Sept 16.⁴ It is probable that all the papers sent by you up to May 21 have come safe,⁵ either in originals or Duplicates or Triplicates.

RC (MH-H: Lee Family Papers). Written and signed by James Lovell. FC (DNA: PCC, item 79). In a clerical hand.

¹ Arthur Lee's October 5, November 18, December 5, 1778, and January 5, 15, 20, and April 6, 1779, letters to the Committee for Foreign Affairs were read in Congress on July 15. *JCC*, 14:836. Lee's letters are in PCC, item 83, 1:310-11, 373-76, 381-88, 405-8, 425-26, 2:148-49. All but those of October 5, 1778, and January 20, 1779, are in Wharton, *Diplomatic Correspondence*, 2:839-41, 850-51, 3:12-14, 25-26, 110-11.

² See John Jay to George Washington and Jonathan Trumbull, July 13, 1779.

³ For Gérard's July 12 conference with Congress, see Lovell to Samuel Adams, July 10, note 5, and July 13, 1779.

⁴ This September 16 postscript is taken from the FC. It was undoubtedly added to the later copies of the letter sent by Lovell when he feared the capture of the earlier dispatches. See Lovell to Arthur Lee, September 17, 1779.

⁵ Lee's May 21, 1779, letter to the Committee for Foreign Affairs was read in Congress on August 23, 1779. *JCC*, 14:989.

John Dickinson to Caesar Rodney

Sir,

Philadelphia July 16th. 1779.

I have recd. your Letter by Mr. Coakley, and shall enquire into the Affair mentioned in it.¹

I now send the Journals of Congress from the 7th to the 19th of June.

I am, Sir, your very hble servt.

John Dickinson

RC (DeHi: Rodney Papers).

¹ There are no letters of this period from Rodney to Dickinson in PCC or Rodney, *Letters* (Ryden).

John Fell's Diary

Friday 16th July [1779]

Coml Committee. Congress. This day almost intirely taken up in Reading A Lees Letters and Reflections against S Deane, did not adjourn till Past 5 oClock. Dined wth Mr Jay.

MS (DLC).

Samuel Holten's Diary

[July 16–17, 1779]

16. Friday. Congress sit late reading letters from the honl. A. Lee Esqr. Mr. Sargant late from S.C. informs us of a battle between Genl. Lincoln & Genl. Provo¹ which terminated in our favor.² Cool weather.

July 17th. Saturday. We have another acct. from S.C. of a battle & terminating in our favor. The weather is still cool.

MS (MDaAr).

¹ Augustine Prevost.

² An official account of the American attack on the British at Stono Ferry on June 20 was enclosed in a June 22 letter from Gov. John Rutledge to the South Carolina delegates, which was read in Congress on July 19. See *JCC*, 14:854; and *PCC*, item 72, fols. 498–508.

Henry Laurens to John Houstoun

Dear Sir

16th July 1779.

In Answer to your favor of the 5th June¹ permit me to assure you I have done everything in my power to assist our worthy friend Jonathan Bryan Esqr. to whom I writ a Letter yesterday,² Copy of which you will receive herein & to which I beg leave to refer.

While I remain in Philadelphia my attention shall be continued & I trust that I shall find means for obtaining his enlargement & you will observe that in my Plan I include his Son.

In this part of our Union the Enemy is carrying into execution the last years denunciations of the British Commissioners. God knows what is going forward in your quarter, we have not heard a syllable from you since the 10th June, what can be the cause of this awful silence. I shall keep this open till the Morning in order to inclose with it Dunlaps Packet which may contain intelligence from the Eastward where Govr. Tryon the Duke d'Alva of America is playing the

Devil burning pretty Towns & distressing, Women & Children. I am persuaded he can make no great progress in his present enterprise except in that way.

I am with great Esteem & Regard Dear Sir, Your obedient & most hum Servt.
H.L.

LB (ScHi: Laurens Papers, no. 16).

¹ A transcript of Houstoun's June 5 letter is in the Laurens Papers, no. 16, ScHi.

² See Laurens to Jonathan Bryan, July 14, 1779.

James Lovell to Abigail Adams

July 16th. [1779]

March 6 1779. "Our friend my late Colleague¹ means to embark soon & from him you will learn the State of our Affairs here. Mr. Izard and myself would have accompanied him had not our Commissions prevented us."

My dear Madam

The above is an Extract from a letter of Ar. Lee to Mr. S. Adams² and tho Mr. Lee writes afterwards on April 6th yet it was a very short Letter of Information concerning the Enemys Plan against Connecticutt, just as they have lately proceeded. He says not a Syllable therein about Mr. Adams; but it is currently reported here that he was at a Port of Embarkation before the Vessel now here left France. I suspect he is on board the *Alliance* Frigate; perhaps while I am writing he is embracing you.³ If not, you may find by a confidential Moment or two with his worthy Namesake in Boston the probable Cause of his not waiting for some special Direction from hence. Staying or Returning, I am sure he has done right; he has acted like a Man of Judgement, Probity and Spirit: Therefore it is that I express no Surprize at the written Intelligence or the Report.

I refer you to Mr. S. A——⁴ for the Communications which should make your Bosom easy if it is capable of suspecting my Mr. Adams of Rashness. I will not without absolute Necessity risque to the Accidents of Carriage on the Road, at this Time, all that I could say about the probable Causes of this unexpected Return. The Knowledge of your being in any Pain about it, after having seen the Gentlemen to whom I have referred you, will constitute such Necessity. For, be assured, the Sacrifices you have made to the public Good and the Manner in which you have made them have given you a despotic Command over my Affections. And, here, by way of Attonement for the Voice I have once given against your private &

personal Felicity, I do soberly promise that, unless there is a great Change for the better in the Manners of America, I will not *speedily* exert myself in any way for the self same Purpose, but leave Portia in the full Enjoyment of Days twenty-five hours long.

Very platonically to be sure but, very, very affectionately, your humb. Servt.,
JL

[P.S.] 3 Ship *Captains* say Genl. Lincoln gained a Battle on the 20th of June in a fair Field, each side quitting their Lines. The devilish Lies before were told by a *Mate*. The odds of Title is not all. Capt. Sergeant of Cape Ann who left Carolina the 23d told the Story in the Teeth of the Delegates of his own State in their Parlour.

Perhaps I may get some particulars from Col. Laurens late President who, I hear, has examined the Gentlemen.
JL

I broke the Seal to warn you against the News. Col. Laurens told me a very fine Story which he believes from "the very *ingenious Manner* in which it was detailed to him". An Express varies it by *Letter* so far as that our Men attacked the Enemy's Lines and were obliged to retreat wch. they did by order and in the best Manner. Things are not in bad Train however. The Writer tells that both Cannon & Musquetry were heard at the Time of his Writing so that the latter Part of the Story may turn out Something like Truth, the Power of our Gallies being equal to the Work they meant to do at Stono Bridge.

RC (MHi: Adams Papers). Adams, *Family Correspondence* (Butterfield), 3:211–12.

¹ That is, John Adams.

² Arthur Lee's March 6, 1779, letter to Samuel Adams is in the Samuel Adams Papers, NN.

³ John Adams did not leave France until June 17, when he sailed from L'Orient in the French frigate *La Sensible*. For Adams' account of his delayed departure and his return voyage to America, see Adams, *Diary* (Butterfield), 2:356–400.

⁴ That is Samuel Adams, who in a note of July 31 to Abigail simply repeated the news concerning John's return to America that Lovell quoted from Arthur Lee's letter of March 6. See Adams, *Family Correspondence* (Butterfield), 3:217.

James Lovell to Samuel Adams

Dear Sir

July 16. 1779

We have had Letters from A Lee to Apr. 6. and one from R. Izard of March 4th¹ in wch. he requests permission to resign.

Mr. A. L. sent a Reply to Deane's Accusations which has given me great Satisfaction, tis 32 folio pages long founded on two Peices which we sent him last Octobr., but which did not reach him till Feby.² It is impossible for me now to give you any part of it; but I will take occasion to send you Extracts of what are the only new Things

to you and me, I mean the first of the only two Letters he has written to Ld. Shelburne since he left England for our Service, and a Letter from Mr. Jennings with his Answer concerning Berkenhout & Temple. The Reading of the first made his most capital Opponents press their fingers on their Eye to prevent that water from discovering itself in a Drop, which will rise & collect upon a sudden Stroke of Admiration. Their Orbs were full. The other two letters mentioned relative to Berkenhout are the most striking Proofs of Integrity & sound prophetic Judgement, as well as a compleat Refutation of all the malicious Innuendo of Deane & party in their Gazette & Memorial-Appearances.

William³ being absent Arthur undertakes and Accomplishes a full Defence of him against the Calunnies levelled at *him* particularly.

I must regret that the Papers now arrived did not come before you and Richard⁴ left us. I cannot tell you *all* the Reasons why by this opportunity, I will do it by Somebody who can destroy my Letter in case of Surprize & Capture on the Road. *Most* of the Reasons will readily suggest themselves. I took the freedom of opening a large Packet directed to Richd. or in his Absence to F Lee strongly judging it contained what it did—a memorial in the Letter Form Inscribed to the President of Congress with a Packet of Vouchers chiefly attested by J Adams. There was another Letter directed to R or F or J L.⁵ This is have by me as it was an Individual confidential Power unconnected with Congress, but of a very extraordinary Kind. There was one Letter for Frank & two for Richd. which I have sent on. I have not the *same* right to open them as I have to open yours. This last I have done, and I now exercise another Right founded on Reasons to be hereafter told; it is to charge you keep, *at present*, a profound secret the parts which I have marked.⁶ I wish to have a Copy or the original by the return of the Express as I have been utterly incapable of taking a Copy myself. I will do much more pen work for you tho there is not a like necessity for it. His letter of Apr 6 tells us the exact plan of ravaging Fairfield which has been executed, it is most unfortunate that the Vessel stayd a month at Rochelle after leaving Nantes.

A certain Baron Holtzendorffe has memorialized me to Doctr. Fr[ankli]n and given some curious Conversations and Anecdotes calculated for the ministerial Eye, as Arthur says, in which I am an inveterate Anti-Gallican and a most malignant Anti Deanite.⁷ He demands of the Doctor £20,000 for his Expences because he was not kept in Employ here. He went off in Mr. Laurences Debt from York Town 400 dollars.

I fear my desire to chit-chat with you will draw me to a neglect of some of the purposes of sending the Express in haste so soon after another has left us. The Expence might have been prevented if only, the Gentleman in the Chair would complaisantly tell the House of his Intentions to send from Time to Time. A Thing he never does.

Tell Dana I am glad he gives me so much occasion to drop writing to him. I did not foresee all the Advantages of Mr. H's⁸ & his Conduct in this Respect some Time ago, and therefore was nettled at first, but that is quite over. If I am not mistaken I shall be in the same Way with another Gentleman.⁹ He sets out fair for it. He could not find a Quill in 8 days after his arrival at Boston any more than on the Road thither.

My best Regards to General Warren & other such Friends, and when you come to Mrs. Adams let the $\wedge$ lead you to use the term affectionate. As to Miss I shall be less complex. *My Love* to her, Adieu, Dear Sir, J L

RC (NN: Adams Papers).

¹ Ralph Izard's March 4, 1779, letter to the Committee for Foreign Affairs is in Wharton, *Diplomatic Correspondence*, 3:110. For Lee's letters, see Committee for Foreign Affairs to Arthur Lee, July 16, 1779, note 1.

² Lee's long February 10, 1779, response is in PCC, item 83, 1:427–58. See JCC, 14:843. Lovell later enclosed several extracts from Lee's self-defense in a July 27, 1779, letter to Adams.

³ William Lee.

⁴ Richard Henry Lee.

⁵ That is, Richard Henry Lee, Francis Lightfoot Lee, or James Lovell.

⁶ In Lee's March 6, 1779, letter to Samuel Adams, which is in the Adams Papers, NN, Lovell "marked" two sections before he forwarded it to Adams. These concerned Arthur's granting authority to Richard Henry Lee "to demand my dismission" as commissioner under certain circumstances. "*In these Sentiments*," Arthur had confided to Adams, "*the justice of which from the maturest consideration I am persuaded of, I have authorized my Brother to demand my dismission from the public service.*" He went on to lament "the detractions of my Enemies," despite the sacrifices he had made "to serve the public," which he considered an injury "*on which I think, no man can blame me for asking my dismission, when I can no longer serve without dishonoring my Country & myself.*" Adams' response to these "Sentiments" is contained in his August 1, 1779, letter to Arthur Lee, which is in Adams, *Writings* (Cushing), 4:155–57. For Lovell's suppression of Arthur's proffered resignation, see William Whipple to Richard Henry Lee, August 23; and Lovell to Richard Henry Lee, August 17, September 27, and October 13, 1779.

⁷ Arthur Lee had enclosed an extract of Louis-Casimir, baron de Holtzendorf's December 30, 1778, memorial to Benjamin Franklin in a January 15, 1779, letter to Lovell. Holtzendorf, who had returned to France in 1778 after resigning a Continental Army commission as lieutenant colonel, blamed Lovell for his frustrating experience in the American army. Lovell, Holtzendorf explained to Franklin, "has always professed openly a general disliking the foreign, & particularly the french Officers." For Holtzendorf's treatment by Congress, see these *Letters*, 7:424n.8, 8:510nn.1–2; and Frederic R. Kirkland, ed., *Letters on the American Revolution in the Library at "Karolfred,"* 2 vols. (Philadelphia: privately printed, 1941–52), 2:58–60, where Lee's letter to Lovell and an extract from "Baron Holtzendorf's Memoirs" have been printed.

⁸ John Hancock.

⁹ That is, Samuel Adams.

James Lovell to Benjamin Lincoln

Dear Sir

July 16th, 1779

With little expectation of finding you at Charlestown¹ I take up my Pen to acknowledge the Receipt of your Favor of July 5th by Majr. Rice. Your own Mortifications at the State of Affairs in Sth. Carolina cannot near equal ours because You cannot suffer from the Contrast of a firm Belief that the british Force was totally ruined on or about the 12th of May. Thus was told us by 20 different Channels.

The Enemy are making scandalous War in Connecticutt. They have burnt the beatiful Town of Fairfield and quite plundered New Haven. Whether these Doings will rouse a general Effort to drive them from their present Nest on York Island Time must show, it ought to be attempted most certainly, and every Sea Captain we have should endeavor to show what Burning War is by Samples in Gr. Britain.

I am most deeply engaged in preparing Dispatches for France Via Boston, and must therefore quit you with Assurances of much Regard, Your Friend & humb Servant,

James Lovell

[P.S.] It is probable that Mr. John Adams is in America. On the 6th of April Arthur Lee had Intelligence of the Design upon Fairfield; but contrary Winds and Captures of his originals have prevented our getting seasonable Warning.

RC (MiU—C: Miscellaneous Manuscripts).

¹ For Congress' acceptance of General Lincoln's resignation from command of the southern department, see John Jay to Lincoln, May 15, 1779. Lincoln nevertheless remained in command of the southern army at Charleston until its surrender to the British in May 1780.

James Lovell to Joseph Reed

July 16th. 1779 2'o Clock P.M.

I inclose to your Excellency some papers this moment received.¹
Your most humble Servant,

James Lovell

18th. Your Excellency will conceive that the Opposition of the Continental Commissaries of Prisoners &c. &c. has occasined a Multiplication of Words in the Resolve, and not a vain wish to blazon a small Act of Complaisance from one State to another.

RC (PHC: Roberts Collection).

¹ James Lovell sent President Reed a June 9, 1779, resolve of the Massachusetts Council authorizing the exchange of a Massachusetts prisoner for William Coats, the lieutenant of the County of Philadelphia, who was imprisoned by the British in New York. When the exchange was completed is not known, but Coats resumed his official duties in October 1779. See *Pa. Council Minutes*, 12:51–52; and *Pa. Archives*, 1st ser.

7:763–64. For the background of this exchange, see Lovell to John Avery, May 17, 1779, note.

Thomas McKean to Sarah McKean

Dear Sally

Philadelphia. July 16th. 1779.

Since my last nothing new has occurred here of any consequences—Mr. Borden is in Town; all are well at Bordentown & here. Yesterday morning I accompanied the remains of the Honble. George Ross Esq, Judge of the Admiralty, to his grave in Christ-church Burying-ground—Francis Hopkinson Esquire is to be his successor¹—So much respecting two of the Republican Society, so naming themselves. Edward Biddle Esquire is carried to Reading in a low state of health, there to deposit his remains, as it is thought he cannot live many days.²

I have not yet sold any lands, and I believe I shall only sell as much as will enable me to buy a house in town.

The enemy have proceeded from New-Haven to Fairfield, and, it is said, have burnt it; a deserter from their army, who left them there says, they had a Major General, a Brigadier General & 120 privates killed by the Connecticut Militia.³ It is also said, that the whole of the British Army in South Carolina are killed or taken prisoners, excepting abt. 200, in a late Engagement. These are only reports, and I have been taught to credit nothing but what is received officially by Congress.

I mentioned that we were all well, but Robert has been very ill the last night with a vomiting & purging and still continues so. Give my love to all my friends. Dont let Sally forget us. Adieu.

Your affectionate,

Tho M:Kean

[P.S.] Captn. O'Hara will forward this with the News-papers of Tuesday, Wednesday & Yesterday.

RC (P11i: McKean Papers).

¹ Former delegate Hopkinson, who had been chairman of the Continental Navy Board from November 1776 to August 1778 and had become treasurer of loans in July 1778, served as judge of admiralty for Pennsylvania until 1789. *DAB*.

² A former member of the Pennsylvania assembly and delegate to Congress in 1774–75, Biddle died on September 5, 1779. *Bio. Dir. Cong.*

³ In a letter of July 20 to his wife, McKean elaborated on the consequences of the British raid on Connecticut. "The British are committing actions of cruelty hitherto unthought of even by themselves, such as murdering old men, ravishing women & little girls, burning houses with the inhabitants in them, burning the barns with the grain in them, cutting down all fruit trees, &c. &c. The militia have sent some hundreds of them to Hell in the midst of their iniquities, and I have great reason to hope some hundreds more will be sent after them before they leave Connecticut." McKean Papers, P11i.

Marine Committee to the Eastern Navy Board

Gentlemen

July 16th 1779

We are favoured with yours of the 30th ultimo and much approve of your cautious conduct with regard to sending the Continental Vessels on the expedition to Penobscot—which we consent to provided you are certain that the Sea force of the enemy is not superior.¹ This will be accompanied by Sundry despatches from the Committee of Correspondence with which we request you will order one of the Packets to Sail immediately agreeable to the directions of that Committee.² We are Gentn, Your hble servants.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The board's June 30 letter, which is in the Eastern Navy Board Letterbook, NN, described preparations of the *Warren*, *Providence* and *Diligent* for the Penobscot Expedition. These Continental vessels were among the 40 vessels lost or captured in the disastrous expedition against the British stronghold on Penobscot Bay, Maine.

² See Committee for Foreign Affairs to the Eastern Navy Board, July 17, 1779.

John Penn to Richard Caswell

Dear Sir

Philada. July 16th. 1779

The Express informed me that he was to have his expences paid besides a considerable sum of money for coming here, and having been long detained requested that I would inform your Excellency that it was not his fault.

The very important business before Congress was the reason we could not get answers to the several things we were directed to obtain sooner.¹ I can assure you Sir, that every thing was done by us to obtain a more speedy determination, that was in our power.

Two letters were read in Congress yesterday, from Gentlemen in France, giving us information that the British Court, had sent orders to General Clinton, to burn and Destroy every thing belonging to the Americans, that he could, & that an immediate attempt should be made against New Haven & Fairfield in Connecticut, soon after we were informed that Govr. Tryon had landed at the head of a considerable number of Troops at New Haven, but meeting a more vigorous opposition than he expected in defence of the Town, he went on Board again, and landed at Fairfield, which beautiful Town he burnt, before the Militia could assemble for its defence, we are told that the Women were greatly insulted & abused. The enemy were soon obliged to their Ships for protection, what place will be the next object of their vengeance is not known.

France & England are constantly adding to their force in the West Indies, their Admirals must soon be obliged to do something.

Nothing extraordinary has happened in Europe, it is said that a

peace is likely to take place between the Emperor & King of Prussia, through the Mediation of France.

Your Excellency will be so good as to charge the express, three hundred & thirty dollars which sum I lent him, when his account is settled (or give directions to have it done) inclosed is his receipt.²

Inclosed are some news papers for Your amusement. I have the Honor to be with great Respect, Your Excellency's, Most obt. humble Servt.
John Penn

RC (PHi: Gratz Collection).

¹ For the instructions given the North Carolina delegates, see their letter to Caswell of July 15, 1779, note 1.

² The "express" is probably Hardy Robinson, who carried this letter and the July 15 letter of the North Carolina delegates to Caswell. In a brief letter of July 20 to Caswell, Penn enclosed "a paper that will give you all the news stirring this way. I have ventured a letter by the Post in hopes that it will get to you, as I am persuaded you will be much pleased, to find that our Troops begin to place some confidence in themselves. Nothing has happened since the date of our letter by Hardy Robinson worth communicating." John Work Garrett Collection, MdBj-G.

Committee for Foreign Affairs to the Eastern Navy Board

Gentlemen

Philadelphia 17 July 1779

I send to your care some important dispatches for France with a few letters for persons in your Neighborhood, among the latter is one from the French Minister here to the French Consul at Boston,¹ perhaps it may be important that it be quickly delivered. Mr. Secretary Avery will take the trouble of the other home Letters. In regard to those which are for Europe, I must beg you in the name of the Committee of Foreign affairs, to send them at the first possible hour, off by the conveyance mentioned in the enclosed Letter from the Marine Committee, you will be pleased to give Strict orders about Sinking all that are marked to be sunk, in case of Capture. Let that Step not be rashly taken, but Surely, when it becomes a duty. Discreet expedition on the Voyage is highly to be wished for. On arrival at port the Packets may be delivered to any known agent of these States, or to such royal officer as your Captain shall deem proper, that they may be immediately forwarded all together to Dr Franklin, or the Count de Vergennes, if your Captain is a Man calculated for the task and inclined to undertake the delivery at Paris, you may make that discretional. He must not let choice of Port risque his packets when he reaches the Coast of France.

I am Gentlemen, your most humble Servant,

Signed James Lovell

FC (DNA: PCC, item 79).

¹ The French consul in Boston was Joseph de Valnais.

Committee for Foreign Affairs to Ralph Izard

Sir 3plicate Philada. July 17th. 1779

Your letter of March 4th was read in Congress 3 days ago being then only first received by the Comtee. of foreign Affairs.¹

We should have been very happy to have received it before the 8th of June as it would undoubtedly have founded a Resolve of Congress more agreeable to us to communicate officially than that to which we must now refer you,² in their Journals printed authoritatively by David C. Claypoole, and which are in the hands of Doctor Franklin or Doctr. Arthur Lee at Paris.

We have till now omitted to forward to you that Resolve for your Recall from the Court of Tuscany, as we daily expected a Settlement of [a] definite Recompense for yr. Services [to the] United States. But the modes of doing Business in such an Assembly as Congress will not warrant our detaining, until such settlement some important Papers committed to us to be sent to the Court of France.

We are with sincere Regards, Sir, Your most humble Servants,
James Lovell

for the Comtee. of forgn. Affairs

P.S. Sepr. 16.³ Yr. Letter of Janry. 28th was read July 27th.⁴

RC (MH-H: bMS Am 1649.8). Written and signed by Lovell.

¹ Izard's March 4, 1779, letter to the Committee for Foreign Affairs, requesting permission to return from France, was read in Congress on July 14. *JCC*, 14:827. The letter is in PCC, item 89, fols. 128-31, and Wharton, *Diplomatic Correspondence*, 3:73-74.

² On June 8, Congress had voted to "recall" Izard from his duties as commissioner to the Court of Tuscany, but they also voted that he "need not repair to America". *JCC*, 14:700-703; and Committee for Foreign Affairs to John Adams, June 14, 1779.

³ This postscript indicates that this copy was not sent by Lovell until September 16, 1779.

⁴ *JCC*, 14:892. Izard's January 28, 1779, letter to the Committee for Foreign Affairs is in PCC, item 89, fols. 120-26, and Wharton, *Diplomatic Correspondence*, 3:33-34.

Committee for Foreign Affairs to William Lee

Sir 3plicate Philada. July 17, 1779.

The Committee of Congress for foreign Affairs are officially entrusted to inform you that on the 8th of June last past it was resolved to recall you from the Courts of Vienna & Berlin to which you had been appointed: But you are also to be informed that it is the Sense of Congress that you need not repair to America.¹ You may see the Proceedings, at length, respecting this Business in their Journals printed authoritatively by David C. Claypoole, and being in the Hands of Doctr. Franklin or Doctr. Arthur Lee at Paris.



William Lee

We are, Sir, with sincere Regards, Your most humble Servants.
James Lovell

for the Comtee. of forgn. Affrs.

P.S. Sepr. 16. Your Letters of Feb 25, Mar 8/16, 17, 25 have been read in Congress.²

RC (MH—H: Lee Papers). Written and signed by Lovell.

¹ *JCC*, 14:703–5. For the “recall” of Lee and Ralph Izard on June 8, see also the preceding entry.

² According to the journals, Lee’s March 8, 16, and 17 letters were read in Congress on August 30, but his February 25 and March 25 letters were not read in Congress until October 11. *JCC*, 14:1006–7, 15:1161–62. Lee’s February 25 and March 25 letters to the Committee for Foreign Affairs and his March 8 and 17 letters to John Jay are in *PCC*, item 90, 2:466–522. His February 25, March 16 and 25 letters are in Wharton, *Diplomatic Correspondence*, 3:65–67, 79–83, 99–101.

John Dickinson’s Draft Negotiating Instructions

[July 17, 1779]¹

Inclosed You will receive a Commission appointing you Plenipotentiary for treating of Peace, Amity & Commerce² with G[reat] B[ritain] together with several Resolutions of Congress on these Subjects.

This Treaty, We have Reason to believe, will be managed under the Mediation of his most Catholic Majesty.

Immediately on the Receipt hereof, You are to apply to his most Christian Majesty, desiring, he will be pleas’d expressly to guaranty to these States the Exercise of the Right of fishing on the Banks of Newfoundland & other the fishing Banks & Seas of North America, at a reasonable Distance to be ascertain’d in the Guaranty from the Coasts of the Territories that shall remain to G.B. at the Conclusion of the War—and preserving inviolate the Treaty of Paris between his Majesty & these States.

You are to assign as Reasons of this Request, the very great Anxiety of the people of these States to have those Fisheries assured to them more plainly than they appear to be by the Treaty abovementioned—the Dependance of very many of them thereon for their Subsistance—the Difficulties to be apprehended, if the Minds of the Inhabitants cannot be in some Manner quieted on this point—the Confidence reposed in his Majesty’s Magnanimity, and in his Disposition to promote every Measure essentially necessary for the Happiness of these States.

Whatever may be the Effect of this Application, of which your own prudence will dictate the proper use, You are to proceed on the Treaty, taking Care, that the Powers of the British Ministers are in

good Form & sufficiently full, & that nothing is contained in their Credentials derogatory to or in any Manner operating against the Freedom, Sovereignty & Independance of these States absolute & unlimited as well in Matters of Government as of Commerce.

When the Conferences shall be opened, You may declare, that You are ready to sign a Treaty of Peace with G. B. on her acknowledging therein the Liberty, Sovereignty & Independance absolute & unlimited of these States, as well in Matters of Government as of Commerce, ascertaining the Limits of these States according to the first Resolution inclosed.

If the British Ministers shall absolutely decline to make the before mentioned acknowledgement of the Freedom, Independance & ca of these States, and You find it absolutely necessary to admit some mezzo termine—You shall insist on this Mode of Expression, that “the King of G. B. agrees to treat with the people of N.H., M.B. R.I. & P.P., C., N.Y., N.J., P., D., M., V., N.C., S.C., & G. as free & independant States vested with & possessing Sovereignty absolute & unlimited as well in Matters of Government as of Commerce”—and from this Mode of Expression You are in no Manner to deviate, unless it be to admit some other more strong & positive in Favour of the Freedom, Independance & Sovereignty of these States.

If the British Ministers will consent to proceed with the Treaty of Peace on this Footing, You are then to insist on the Limits of these States being ascertained in the Manner before mentioned—on an immediate Evacuation thereof by all the British land & naval Forces—the full Enjoyment thereof by these States—a Release of all Prisoners without Ransom—³ and from these points you are in no Manner to Recede.

You may also insert such other articles as are usual in mere Treaties of Peace—see Articles 17, 18, 19, 20, 21 of the Treaty of Amity & Commerce at Paris Feb 6, 1778.

You are to observe, that You are not to propose the last mentioned Mode of Expression, unless the French & Spanish Courts shall solemnly declare their Sense of the Treaty of Paris in 1778 to be, that France is not thereby bound to contend for one more strong & positive in Favour of these States & France will not agree to contend for such an one.

If the British Ministers shall decline signing a Treaty of Peace, unless the Terms of a Treaty of Amity & Commerce be in some Degree previously determined, & such Determination cannot be avoided without an Appearance of Artifice, You are to declare, that immediately after signing and ratifying such a Treaty of Peace as is before mentioned, you are ready to sign a Treaty of Amity & Commerce on just & reasonable Terms. After this Declaration, You are to endeavour by all the Means in your power to procure the Treaty of peace to be signed ascertaining the Limits of these States

as mentioned in the Resolution inclosed—and to have the Treaty ratified by the King of Great Britain, before You proceed to the Treaty of Amity & Commerce. If You cannot procure the Treaty of Peace to be thus signed and ratified without an Explanation of the Terms “just & Reasonable,” You may declare, that You are not authorized to say any Thing more on the subject, till the Treaty of Peace shall be signed & ratified as aforesaid—that when that shall be done, the Regard due to the exalted Dignity & undoubted Equity of the Mediating power & to the Honor of the United States, together with the earnest Desire they feel of demonstrating to the whole World on this signal Occasion that Moderation of Temper *(with respect to their Interests)* by which they wish to be always distinguished, will forbid them to urge propositions inconsistent with the Sentiments impress’d by the foregoing Considerations—besides, that a proper Attention to the well known Advantages to be expected from the British Friendship & Commerce, would prevent them from insisting on any points that might cause an Obstruction to their receiving those Advantages. If the British Ministers shall utterly refuse to sign the Treaty of Peace & to procure its Ratification aforesaid without a farther Explanation of a Treaty of Amity & Commerce, You are with equal Firmness to refuse such Explanation, and You may alledge, that the two Treaties are distinct in their Nature—that the one is founded on the Maxims of Religion & Humanity, calculated for putting an End to the farther Effusion of Christian Blood, & the Calamities of War—the other founded on the Motive of Gain—that to refuse an Assent to the first, unless the Measure of the latter be previously ascertained, would be to sacrifice the noblest principles of Conduct to Views of a far inferior Value, that this method of proceeding is not unsupported by precedent—for the Treaty of Commerce between Spain & The United Provinces was not brought to a Conclusion till a considerable Time after the Treaty of Peace at Munster.

If the point shall be still insisted on by the British Ministers as is before mentioned, & You find there is Reason to be convinc’d, that the Treaty of Peace will fail upon it, You are to endeavour in the most prudent Manner You can devise, to discover the Conditions on which those Ministers will consent to sign a Treaty of Amity & Commerce—particularly, whether they will consent to insert an Article in it, that Great Britain will not disturb the Inhabitants of these States in the Exercise of the Fisheries on the Banks of New Foundland & other the Fishing Banks & Seas of North America, with a reciprocal one on the part of these States limiting a reasonable Distance if it be insisted on by the British Ministers within which neither party shall in the Exercise of such Fisheries approach the Coasts of the other, whether of the Continent or Islands.

If You can be assured, that they will consent to insert such an

Article, then, You are to proceed to an Explanation of the Terms on which You will sign a Treaty of Amity & Commerce, the Basis thereof to be an Equality and Reciprocity of Benefits,⁴ & taking Care, that the said Distance be so limited as not to be less than about three Leagues, nor greater than about fifteen Leagues.

If the British Ministers shall consent to sign the Treaty of Peace in Manner before mentioned without insisting on an Explanation as aforesaid of the Terms to be contained in the Treaty of Amity & Commerce, and then the Conferences turn on this Treaty, You are to Treat on the Basis aforesaid. Whenever in the Course of the Conferences, the said Fisheries shall be mentioned, which they are not to be by You, if it can be avoided, You are to propose, for avoiding Disputes, the Insertion of the Article aforesaid relating to them. If this proposition shall be objected to, You are in support of it, to alledge the Common Right to such Fisheries—the Right vested in these States by occupancy & the necessity of procuring Subsistence, & the Right of Compensation for the Expences & Damages of an unprovoked defensive War &c. The Arguments in support of the first & last of these Topics, You may draw from the principles of Justice, and the Laws of Nature and Nations. As to the second, if the British Ministers shall urge, that the Right vested in these States by Occupancy, was vested in the Inhabitants as Subjects of the British Crown, You are to observe, that those Inhabitants were a part of the people of the Empire, and that on a just Separation of the people, a partition of the Rights before exercised in Common becomes also just, as attached to the persons of those thus separating & before the separation thus exercising those Rights—Otherwise, the first Injustice in causing a Separation would become a Foundation for & sanction of a second Injustice, which is a proposition operating too strongly against the universal Sense of Mankind, to be supportable—that this Argument is greatly fortified by the Necessity of procuring Subsistence, which is annexed to the Occupancy, a Necessity that is allways growing more strait by the Encrease of Inhabitants—that this Right is also strengthened, by this Circumstance, that the Dominions which may remain to Great Britain on a Pacification have been acquired or secured to her by the Exertions of these States as well as her own—that a Right thus vested in them cannot be impaired in any Manner by the prosecution of such a War as the present or any separation thereby occasioned of the Members of the Empire—that even a Right of trading to the East Indies acquired by Occupancy and that but for a short Time “*flagrante bello*” between Spain & the United Provinces of the Low Countries, was confirmed to them at the Peace of Munster—A fortiori, should this Right so antient, so established before the War, so continued & uninterrupted, be confirmed to these States.

You may also give up on Behalf of these States any Trade to the

East Indies & to Africa, while they continue undisturbed by Great Britain in the said Fisheries.

If the British Ministers absolutely refuse to admit such an Article relating to the Fisheries as is before mentioned, You are then to propose this Mode of Expression, "that Commerce shall in every Respect be restored to the same State in which it was before the present War, excepting every Exclusion, Regulation & Restriction, prior to the signing of the said Treaty, in Preference of Great Britain to any other Nation now in or that hereafter shall be in Amity with these States, or in any Manner or by any Construction implying a Dependance or Subordination of these States on or to Great Britain or the Crown thereof"—and from this Mode of Expression You are in no Manner to deviate, unless it be to admit some other more strong and positive in favour of the Freedom, Independance & Sovereignty of these States. But You are to observe, that You are not to propose this Mode of Expression, unless⁵ You are positively assured, that the French & Spanish Courts will be highly disgusted if You refuse to admit such a Mode. If this Mode or one more favorable to these States is admitted, but not an express Stipulation, You are if possible to procure.⁶

If the British Ministers shall utterly refuse to treat of a perpetual Peace, but shall offer to treat of a Truce, and the French & Spanish Courts shall solemnly declare their Sense of the Treaty of Paris in 1778 to be, that France is not thereby bound to contend for a perpetual Peace, & She shall not agree to contend for it, and that the treating of & agreeing to a Truce cannot be denied or refused by these States without giving high Disgust to those Courts, You are then to proceed to treat of a Truce, in treating of which You are to conduct Yourself exactly in the Manner herein before pointed out for treating of a perpetual Peace, to use all the Means in your power to procure as long a Truce as can possibly be obtained, and as great Security as can be also obtained against any considerable naval or land Forces being kept in the Dominions that may remain to G. B. at the Conclusion of the War, on which Heads You are to regulate Yourself by the Necessity You shall find imposed upon You of conforming to the Sentiments of their most Christian and most Catholic Majesties.⁷

In the Course of the Negotiations You are not to omit any Opportunity of sending To Congress the earliest advices of every Step taken therein & of every Difficulty that occurs, so as to enable Us in the most full & ample Manner to judge of all the proceedings. In sending these Advices, You will use every precaution to prevent your Dispatches falling into the Hands of the Enemy, & You will also send so many Copies of each Letter, as to remove every probability of our failing to receive the Intelligence designed for Us.⁸

These propositions, except the last ten Lines, were read by Me in

Congress on Saturday the 17th Day of July 1779 in the Afternoon between 3 & 4 oClock, after Congress had postponed a proposition containing a Principle in its very Nature tending to delay a pacification formally or tacitly assuring the Liberty, Sovereignty & Independance of these States absolute & unlimited as well in Matters of Government as of Commerce.

John Dickinson

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson. This is an early draft of Dickinson's proposed instructions to a minister to be appointed to negotiate a peace treaty and is probably the text he used in Congress this day. A second, more polished draft is in the Sparks Manuscripts, MH-H, which is probably the document that Dickinson submitted to Congress five days later together with a copy of his speech of that day, for which see Dickinson's speech July 22, 1779, below. This second draft, which is endorsed by Charles Thomson "July 22, 1779. Mr. Dickinson's draught of Instructions—to Commissioners in Europe," is also the text printed in Burnett, *Letters*, 4:338–43. The most important of the discrepancies between the two drafts are noted below. A copy of each document was made by Henry Laurens' secretary, James Custer. Custer's copy of the first is in the Logan-Dickinson Collection, PHi; that of the second is in the Laurens Papers, ScHi, and bears an endorsement by Laurens, for which see note 8 below. A few words have been supplied from Custer's copy where Dickinson's manuscript is damaged or unclear.

Dickinson states in the final paragraph of this document that it was read in Congress on "the 17th Day of July 1779," a fact corroborated by John Fell, for which see the following entry. On June 17, 1779, Dickinson, Gouverneur Morris, and Henry Marchant had been appointed to a committee "to prepare the form of a commission to the minister who may be appointed to negotiate a peace." Dickinson apparently took the liberty of also drafting these instructions to the minister. It was not, however, until August 4 that Dickinson was officially appointed to a committee, together with Morris, Henry Laurens, Samuel Huntington, and Thomas McKean, "to prepare instructions for the minister plenipotentiary of these United States, to be appointed for negotiating a peace." The final report of that committee, in the hand of Gouverneur Morris, was adopted on August 14. The report of the committee assigned to prepare the minister's commission, which is in Dickinson's hand, was adopted September 28. See *JCC*, 14:744, 922, 955–66, 15:1116–17.

² Dickinson noted in the margin "dele 'of Peace, Amity & Commerce.'"

³ Following the word "Ransom" Dickinson left blank a space of about four lines, perhaps intending to insert other demands.

⁴ At this point in the MH-H draft Dickinson inserted the words "preserving inviolate the Treaties of Paris in 1778."

⁵ In the MH-H text, Dickinson completed this sentence to read: "the French and Spanish Courts shall solemnly declare their Sense of the Treaty of Alliance in 1778 to be, that France is not thereby bound to contend for one more strong and positive in Favor of these States—and France will not agree to contend for such an one—and unless You are convinced, that both those Courts will be offended by your refusing to admit some such Mode as is before mentioned."

⁶ In the MH-H text, Dickinson completed this passage to read: "The Delivery to You of a Testimonial from the Mediating power, that the Exercise of the Right of these States to the said Fisheries was effectually allowed by Great Britain tho not expressly mentioned in the Treaty, the said States having declined at the Request of the Mediating power to insist on the Insertion of the said Article.

"You are however to understand, that the Insertion of such an Article is not to be so far insisted on as in the Manner before mentioned, except in the Case of a Refusal by France to enter into the Guaranty aforesaid; for if She shall actually enter into the same, You are to endeavour earnestly to procure the Insertion of such an Article;

but if You find your insisting upon it will break off the Treaty and displease the French and Spanish Courts, You are to decline urging the Insertion."

⁷ After the word "Majesties," Dickinson spaced a line and inserted the word "Spain" in the center of the page. The remaining lines were apparently added a few days later.

⁸ At this point in the copy James Custer made for Henry Laurens, Laurens keyed the following comment: "An article might be obtained for granting passports under certain limitations to Vessels coming to & returning from the Congress—which must appear to be a reasonable demand & for the common benefit of the contracting parties considering the distance of places."

John Fell's Diary

Saturday July 17th [1779].

Congress. Letter from Capt Cuninghame to his Wife acquainting her of his cruel treatment, Referrd to a Committee who Reported that a Letter be immediately wrote by the Secretary and sent to the Commanding Officer at New York to know where and in what manner Capt. Cunningham was treated &c.¹ Order of the Day on the Fisherie, according to Custom little done. Mr Dickinson read in his Place what he would have adopted by way of Instructions to the Plenoptentary that may be sent to Negotiate for Peace.² Report from the Bod of Warr Relating to Coll Malcolm, to be Reconsiderd.

MS (DLC).

¹ Secretary Thomson actually copied the text of his letter to Commodore George Collier into his journal entry for this day, although in Worthington C. Ford's edition of the journal it appears as if the text were taken from another source. See PCC, item 1, 23:33–34; and JCC, 14:849.

² See the preceding entry.

John Jay to Persifor Frazer

Sir,

Philadelphia 17th July—1779.

I have the pleasure of transmitting to You the enclosed Extract from the Minutes of Congress by which You will perceive that You are appointed Cloathier General. The Salary is 5000 dollars a year.¹

I am Sir, Your most Obedient And Humble Servant.

P.S. A Copy of the Ordinance for regulating the Cloathing Department is also enclosed.²

LB (DNA: PCC, item 14). Addressed: "To Lieutenant Colonel Percifer Frazer."

¹ JCC, 14:836. Like Peter Wikoff before him, Frazer also declined this appointment "on account of the salary." See JCC, 14:853; PCC, item 41, 3:193–95; and John Jay to Peter Wikoff, July 6, 1779.

² JCC, 13:353–57.

Henry Laurens to John Laurens

My Dear Son,

Philadelphia 17th July 1779.

My last communication is dated the 10th Inst.,¹ it was forwarded by the hands of Sickles a public Messenger.

Yours of the 2d. June written I perceive with your left hand reached me no earlier than the 12th Inst. This is the Letter which Mr. Leger left in the custody of Colo. Finnie; you refer me very particularly to an antecedent date, but none such respecting Military operations in & about Charles Town have I seen. Recollect if you can, its date & by whom you transmitted it, & I will endeavor to discover the defaulter or the delinquent.

Dunlap's Paper of this Morning does not inform us as I had expected it would, of the operations of the American Duke d'Alva, late Governor Tryon in Connecticut, he landed at New Haven burnt part & probably the whole of that Town, penetrated to & burnt all Fairfield said to be one of the prettiest Towns in America. The Militia assembled, attacked him & he fled to his Ships—this is a general sketch warranted by Rivington of the 10th Inst. with this difference, he says re-embarked. I wish the title of d'Alva may be so fixed on Tryon as to be transmitted to posterity & his memory held in everlasting contempt.

Yesterday we received in Congress dispatches from the Honorable Arthur Lee Esqr containing as complete a vindication, of his own & his Brother William's conduct, as I have ever seen in any case, every charge of Deane's 5th December refuted, every article supported by vouchers—what a worse figure will this bad servant make before his fellow Citizens to whom he appealed, when his narrative of 139 Pages of vanity, misrepresentation, falsehood & contradiction shall pass under the harrow of Lee's Pen—those who have hitherto been his supporters, appeared to be unhappy while the Papers were reading. Tell my friends they will find, that my resignation on the 9th December was, as I then said to them, the greatest act of my Life.

I have heard nothing lately from head Quarters—the very plentiful harvest, which we have now secured, leads to animation, we are talking of an immediate array of Six or twelve Thousand good Militia, these to join the Commander in Chief & to attack New York; a motion made by Mr. Dickinson seconded by Mr Drayton that Congress should join the Army & act in Militaire²—this shews more of valour in those Gentlemen than of the wisdom & reflection of grave Senators, but who can restrain the ardor of fighting Men when an opportunity offers? The Motion is on the Table for consideration when it can be taken up consistently with Order.

If I may judge of the state of your Carolina air, from the Philadelphia Thermometer you have hitherto had very tolerable weather, I was just now obliged to throw off a lined-silk, & to cover my body

with a Cloth flannel-lined, wastcoat, & I took a little Cold last night by lying under only a thick Cotton coverlid. We have not experienced one intolerable day the present Summer.

I say nothing of my private affairs. I know you will aid Mr. Gervais in taking as much thought for them as the times will admit of. I remain here under the Commands of my fellow Citizens when my inclinations strongly bend homeward, 'tis high time I were there.

I pray God to bless & protect you, Henry Laurens

[P.S.] 36 days since we heard from So Carolina. I interpret nothing amiss from this silence.

RC (ScHi: Laurens Papers, no. 34).

¹ Not found.

² For Dickinson's July 14 motion, see John Dickinson's Draft Circular Letter, July 14, 1779, note.

Henry Laurens to Benjamin Lincoln

Dear Sir,

Philadelphia 17th July 1779.

By the hand of Major Rice I was honoured with your favor of the 5th Ult^o.¹ The Major left Philadelphia the 13th Inst. intended for Boston to take Gen Washington's Camp in the way.

I have done all in my power to serve my old friend Mr. Bryan & I hope by some means to effectuate an Exchange for himself & his Son,² it will probably be out of the common routine, because Congress will not encourage kidnapping by Exchanging Citizens taken in the manner those Gentlemen were captured. I have written more particularly on this subject to Mr. Houstoun . . .³

The American Duke d'Alva, Tryon has been brandishing the torch in Connecticut, has burnt Fairfield & part or the whole of New Haven, made some plunder, distressed Women & Children & retired again to his Ships, many particulars ought to have been published in Dunlap's Paper of today, but he has neglected them.

Thirty six days have passed over since the latest date from Charles Town, the silence is painful, but it does not indicate evil on our part; I do not despair of an opportunity for congratulating with you Sir & with my Country Men in general on an event which will mark honor to you & them & restore my native Country the Peace her peculiar circumstances require. In truth Sir, should you fairly drive the Enemy from Carolina & Georgia or do what would be better, detain them there in captivity, you will lay the Corner stone for an immediate general peace. Had Georgia been defended, we should at this moment have been engaged in a general Treaty. The Capture of that State has cost us a Campaign of blood & conflagration.

I beg Sir you will be assured of my best wishes for your health &

success & that I am with great Esteem & Regard, Your obedient &
most humble servt,
Henry Laurens.

Tr (DLC: Edmund C. Burnett Collection). Endorsed: "Copied from the original then in possession of Mr. Stan. V. Henkels of Philadelphia."

¹ A copy of Lincoln's June 5 letter to Laurens is in his letterbook in the Lincoln Papers, MHi.

² See Laurens to Jonathan Bryan, July 14, 1779.

³ Ellipsis in tr.

James Lovell to Arthur Lee

Dear Sir Private Philada. July 17th. 1779

I wrote to you on the 13th of June, but to my Surprise found the Letter in the commercial Committee Rooms on the 10th of July, the Martinico man having left it behind though he took the Journals & Gazettes to be forwarded by Mr. Bingham to France & the Hague. My above mentioned Letter was sent under Cover to Mr. Adams to the Care of Doctr. Franklin, it seems Mr. A will have left France before the *Polacre* comd. by *Capt. Sapet* can reach it.¹ It is needless to copy the whole as, now, the Weeks of the Journals are printed to which I there referred largely. Some parts however I shall now repeat.²

Extr June 13. "The Term *recalled* having been used in regard to Wm. Lee and Rph. Izard with an Idea strenuously supported by some of bringing them to America, tho others who were affirmative meant only *vacating the Commissions* a second Resolve passed that they need not repair to America. I give them no official notice now nor shall I without the particular order of Congress because I am again left alone, your Brother Richd. having resigned his Seat as I hear, and gone home; and further, because something definitive ought to be decided in regard to Compensation for Services of the Commissioners.

"An attempt has several times lately been made to *chuse a new* Committee of for. Affrs. instead of filling up the old one. This you will perceive to be singularly decent towards the one who had steadily attended. Nay it is said that such a Comtee. is useless. I am sure I find an immense deal that *ought* to be done, and have found a great Burthen in what *has been* done by a Member of Congress without Secretary or Clerk, little as you and the other Gentlemen abroad may have been benefited by my Labors. Quires of my Writing have been sunk in the Seas most of it near these Capes.

"I expect further attempts to get rid of you. It was a fear of that and a desire to scrutinize Mr. D—— that made Mr Laurens, I imagine, give into the late motion.³ But I think you will rise above the Malice of the Faction which you have long known or, if you find *your Useful-*

ness destroyed, you will readily tell us so, and desire to make way for some other person. I have by me large packets left by yr. Brother, with Copies of Proceedings respecting you, but I will not send them round about as a Frigate must soon go directly from hence, or at least a Pacqt. Boat. I tell Mr. J Adams more on that head. I suspect Roguery in the Stoppage of yr. Letters; how else is it that we have not a Line from any of you?

"Mr. S Adams goes home Tomorrow—for good & all as he says. This goes Via Cadiz, a Copy via Martinque.

"Your Friend and humble Servant, J.L.

"Vid Journals, Apr 6, 15, 20, 21, 22, 26, 28, 30, May 3, 22, 24, 25, 27, June 8, 10.

"Letters from A Lee, Aug. 7, 11, 21, 27, 31, Sep 9, 30, Oct 19 P.S. Nov 29, Novr. 4, 15, 18, 20."

I will now, Sir, add a few remarks. Your Quotation from Whitlock I have read in the Congress to strengthen what I have often urged there.⁴ Nothing can more naturally suggest itself to a Politician, one would think yet I have affirmed Truth when I told you that the Comtee. was said to be now an useless Institution.

What remark am I to now make upon some of yr. Conduct referable to the 5th Line of the 3d page of this Sheet?⁵ I will not trust my own Judgement, but I suspect your most steady friends here will differ. I presume you meant to take their Opinions as you could not at such a distance judge of all Circumstances. Else why cover to R H or F. L.⁶ At present a Veil of Secresy is on the Business, as well as on that committed to R. H. or F. L. or J. L.⁷ Your Letter defensery has been read.⁸ Yr. first Letter to Shelburn brought that Water up to the Eyes of some, who are evidently unfriendly to you, which is the Consequence of strong unexpected Admiration. The Letter from Jennings and your Answer are as valuable as a marble Pillar erected to the honor of yr. Probity and prophetic sound Judgement. Beux's is as honorary to him as a sensible spirited Gentleman as it is disgraceful to others. All the other Vouchers were familiar to me. I have been so engaged & so unwell that I have only had the single chance of listning in Congress; but I shall renew my Pleasure soon.

The Report respectg. Supporting the Ministers was again recommitted this day but I told the House that I could not risque Censure by not officially informing Mr. W Lee & Mr. Izard of the Proceedings of the 8th of June. How easy & how tollerably decent would it have been to have recalled their Commissions for the Reasons h[anded] down in the original Report of the Committee of 13—vid 2d head Apr. 15th, but the 4th head was meant to accomplish the point with you; the most sanguine not being discouraged at the Idea of Killing Doctr. F——⁹ secondarily, or sacrificing all Character in themselves of Impartiality upon the Ground work on which they meant to gubit your Fame. But I have said all my Eye sight will allow

at this late hour of the Night and the Express goes off at Dawn. Yr.
affectionate Friend,

J L

RC (MH-H: Lee Papers).

¹ See Committee for Foreign Affairs to Captain Sapet, July 10, 1779.

² See Lovell to Arthur Lee, June 13, 1779.

³ Lovell wrote in the margin at this point "June 10th."

⁴ In the December 4, 1778, letter to which Lovell refers, Lee had taken a quotation from Sir Bulstrode Whitlocke, *Journal of the Swedish Embassy in the Years MDCLIII and MDCLIV*, 2 vols. (London: T. Becket and P.A. de Hondt, 1772).

"Whitlocke, in the journal of his embassy, says:—'By this constant and perfect intelligence from Thurloe, Whitlocke had great advantage in his negotiation, being thereby enabled to give a perfect account of affairs, not only of his own country, but of most other places, to the great satisfaction of the queen and her court, and grandees, with whom Whitlocke had frequent converse, and from his private and public letters, was able to satisfy their curious enquiries after news; so that it became to pass that no news (especially from England) was authentic, until it was ratified by the English ambassador; which raised the credit both of him and his intelligence.'

"I am sorry to assure you that our situation is exactly the reverse. We never go to court but the first question is, Messieurs, (in French, have you any American news?—*Editor*.)

"In all companies it is the same; and trifling as it may appear, yet it is a fact, that as the reverse raised Whitlocke's credit, so this sinks ours." Richard H. Lee, *Life of Arthur Lee, LLD*, 2 vols. (Boston: Wells and Lilly, 1829), 2:152.

⁵ Lovell had asked Lee to notify Congress "if you find your usefulness destroyed . . . and desire to make way for some other person."

⁶ That is, Richard Henry or Francis Lightfoot Lee.

⁷ James Lovell.

⁸ That is, Lee's February 10, 1779, letter to the President of Congress. See Lovell to Samuel Adams, July 16, 1779, note 2; and the following entry, note 3.

⁹ Benjamin Franklin.

James Lovell to Richard Henry Lee

[July 17? 1779]¹

I did not return from the Conclave till 5 o'clock, hard duty to an infirm Man. I there heard the Vindication read, but there is a Man who can never read distinctly & deliberately when he does not like the subject—long debates, whether the Vouchers shd. be read at length carried in the affirmative. I recd. much satisfaction, but not so with every body. One seemed to be on a Gridiron, another in Purgatory, another attempting to take notes, but the subject was painfull, he sickened & threw down his pen, one looked to be in a situation in which he ought long since to have been—suspended—from his eternal versatility. I suspect he will become a reconvert.² My best complim'ts to Mr. F. L. Lee. I feel myself happy in finding I have taken the honest side, & that I may therefore congratulate with your families & all your friends; I shd. have crept into an auger hole had it appeared that I had (altho mistakenly) been an advocate for a rogue—little as I have left of worldly wealth, I wd. give 500 Guineas

for A. Lee's company tonight in this room. He shd. not leave Phila. untill he had pointed out the way for obtaining Justice to his injured Country; his Country wou'd not part with him untill they had done him honor.

An honest man's face the noblest work of God.

This morning I mean to move Congress to order the vindication of the h'ble Arthur Lee Esqr. together with all the supporting Vouchers to be made public.³ Mr. D—— appealed to the Public, which in his elegant style, "caused great sensations". The Public therefore have a right to know what has been said by the other party, & I am perswaded when they are informed that an ansr. is recd. they will assert their right & demand information.

We have made no progress either in finances of foreign affairs, except in the former case, what you must have seen published, & in the latter, another private audience, the product of which, my discretion, not my obligation, restrains me from divulging.⁴ I peremptorily & repeatedly refused to give my promise to keep secret anything called by that Name in the State House. In the present case I had the best reason in the World for mak'g the declaration, the secret was communicated to a few select friends, before it was announced from the Chair, one of these elect, immediately transmitted it to a place some 700 miles distant,⁵ & afterward with a very grave white face pledged his honor to keep all Mum. I charged him home, he laught guilt & did not deny. Nevertheless I will not follow the bad example, nor do an inexpedient Act, because it is barely Lawfull. In due time you will know all. The appointm't of Doctor Franklin to be sole Minister at the Court of Versailles, has afforded the greatest satisfact'n "& *now* the confidence of the Court will be no longer withheld"—be this as it may, we receive no intelligence from our Servants, except from the suspected person,⁶ & his Accts. are as ample, as Valid, & as clear as any we receive from the fountain above them. This is queer, he is suspected, not trusted, yet he is honest, learns & communicates everything.

Mr. A. Lee has apprized us of the ravaging scheme in Connecticut plotted at White Hall, which is at this instant in execution under the auspices of Genl. Tryon.

If Congress now suffer Mr. D—— to leave the American shore, before he shall have settled his Accts. or shall have given good & sufficient security to acct. for all the public money which has passed thro' his hands, we shall have to account for our own Conduct to the People at large.

Tr (ViU: Lee Family Papers). In an unidentified hand, and endorsed by Richard Henry Lee: "Extracts from Mr. Ls. Letter."

¹ Although this extract is undated, internal evidence indicates that Lovell wrote the letter soon after, and probably the morning following, the reading of Arthur Lee's "vindication" in Congress, an event of July 16. See *JCC*, 14:843. A substantial portion

of the letter is also found in one from Richard Henry to Thomas Jefferson of August 12 in which Lee discussed Congress' response to Arthur's defense against charges leveled at him by Silas Deane. Lee, *Letters* (Ballagh), 2:113–14.

² For another vivid description of this scene, see William Whipple to Richard Henry Lee, August 23, 1779.

³ No such motion is found in the journals. A contrary motion to seal Lee's letters was made about this time by Thomas Burke and seconded by James Duane, but it was also not entered on the manuscript journals. Burke's motion was, however, printed with the July 16 entry in Worthington C. Ford's published edition of the journals. See *JCC*, 14:843–44; and *PCC*, item 36, 4:153.

⁴ For Conrad Alexandre Gérard's "private audience" with Congress, see Lovell to Samuel Adams, July 10, 1779, note 4.

⁵ Lovell may have been referring to Thomas Burke. See Lovell to Samuel Adams, July 10, 1779, note 6.

⁶ That is, Arthur Lee.

Thomas Burke to Anthony Wayne

Dr Sir

Philadelphia July 19th 1779

I congratulate you on the Signal and brilliant Success of your Enterprize against Stony point.

This gallant and Important affair, has fitted us all, with very high Satisfaction and mine, I assure you, is peculiarly improved; because, an Officer, of whom I had Conceived a very high Opinion, and for whom I have very great Esteem and regard, has conducted it, and obtain'd Such Singular glory.

The happy Effect of your good Conduct, has saved your humanity, the pain it would have felt, how your Enterprize cost you the lives of many of your brave Soldiers, and gallant officers; and even had you been under the Necessity of Slaughtering many of the Enemy—to the humane, (and Such are all the brave and good) this is a very pleasing Circumstance attending your Success. Every one remarks, that your magnanimous Generosity, has triumphed over the Enemy, as much as your Courage and Conduct.

I was much concerned when I heard you were wounded: but, learning on Enquiry, that it was but Slight, I considered it as not worth attention in so great an affair, and I find, by your letter to General Washington,¹ you did not think it of consequence enough to mention it.

Having mentioned your letter, I must declare, I think it a Just model of martial eloquence; equal'd by none, but Cæsar's *veni vidi vici*. I wish your example may be followed in this, as well as in the other parts of your Military Character. I wish you long life; I need not add glory, for you will have it, and am Dr Sir very truly, your Friend & Svt.

Tho Burke

RC (PHi: Anthony Wayne Papers).

¹ For Wayne's July 16 letter to Washington reporting his capture of Stony Point, see John Jay to Washington, July 20, note 1.

Committee of Commerce to Oliver Pollock

Sir¹ Commercial Committee Philadelphia 19th July 1779

The affairs of this Committee being for several Months past greatly deranged occasioned by the frequent succession of new Members in the room of such as had left Congress, together with the Removal of their Books and Papers to different parts of the Country for Safety when the Enemy took possession of this City; These accidents prevented Your several Letters being hitherto regularly answered.

To remedy this Evil, Congress did, on the 14th Day of December last appoint a new Committee of Commerce who will be enabled to conduct their affairs with regularity in future.

We are now to acknowledge the Receipt of your several Letters of the following Dates with their Inclosures, Vizt. 6th March—1st & 2d April— 7th, 8th & 20th May—6th July—3d & 11th Augt.—11th September—5th, 8th, 10th, 18th, 26th October, and 15th December 1778—17th Feby.—10 & 18th April and 2d May 1779—The latter by Capt Calvert Duplicated by Capt. Joseph Conand.² It is with Concern we inform you that of the several Vessells sent out by you for these Coasts with Effects, not one of them is safe arrived.

The Sloop in which Captain Willing embarked was captured near the Capes of Delaware, and himself carried to Newyork where he now remains a Prisoner; Messrs. Elliot & McIntyre overpowered the Prize Master, retook the Sloop, and ran her on shore near Lewis Town, saved part of the Cargo, for which they were entitled to a Moiety for Salvage. Captain Morain ran the Sloop Bernardo on shore at Cape Hatteras; a trifling part of the Cargo was saved & brought up to Edenton, the Vessell lost.

The Brig. Minerva on her Passage from the Havana was captured by a British Cruizer, retaken by an American Armed Vessell & brot. into North Carolina where a Moiety of the whole was adjudged for Salvage. None others have we as yet received any intelligence of (The Capt. & People's Wages paid).

We are also to advise you that immediately upon Receipt of Your Letter of 2d May we applied at the Office of Insurance in order to cover Your 8000 Dollars on the Sloop N[ossa] S[enhora] de Carmel, Capt. Luiz Perez, but without effect, as by your Letter you were to dispatch her in three or four Days & upwards of two months having elapsed, they concluded her to be out of time, and therefore would not meddle with the risque.

Upon laying your Letters before Congress this Committee procured the inclosed Resolves, by which Youll perceive they are fully

impowered to exert every possible means of making you Remittances,³ but from the present local circumstances of this Country it will not be in their power to do anything considerable untill the new Wheat is manufactured, of which we have had this Season the finest Crops, both as to quantity & quality that has been Known this many Years—indeed the Crops of the preceding Year, were not only scant, but the Wheat of Maryland & Virginia infected by a fly that rendered a great part thereof unfit for use—this added to the great Supplies for our Armies, together with the necessity we were under of largely supplying the Count D'Estaing's Fleet at Boston, obliged the States to lay a general Embargo on all Provision which we now expect will soon be removed upon the arrival of new Flour at our Markets, when we shall exert ourselves in shipping large quantities to New Orleans, and we think with you that it will be safest Via the Havana, where it may be reshipped to You in Spanish Bottoms, provided there is not a Rupture between that Court & Great Britain, and that it be admitted by the Spanish Governor, whose permission it will be necessary for us previously to obtain.

As Vessells are lately permitted to pass & repass between this & the Havana for the conveniency of Don Juan De Miralles, a Spanish Gentleman now residing in this City, by one of which this is forewarded we think this will be the best mode of conveyance for our future Correspondance, and thereby avoid the very enormous expence of sending Expresses as heretofore practised, more especially as you draw upon us for their Expenditures in spanish P[ie]ces 8/8, which is not in our power to obtain, having only Paper money circulating in these united States.

From Your Letters and Accounts we learn that several Sums of money have been advanced by you for the State of Virginia, on an Expedition under the Command of Colonel David Rogers & Colo. George Roger Clarke for the reduction of the Post of St. Vincent, we are led to conclude from Your Letters &ca. that the several Parcels of Goods you sent up the Mississippi were chiefly applied by the State of Virginia, as we have never received any advice from Fort Pitt of their arrival there, it will be therefore necessary for your Government to charge the State of Virginia with all such advances, and not blend it with Your Accounts with this Committee, and let us know the amount thereof.

By Your Letter of 15th December we learn that You had purchased the Brig Minerva Ps. 2200 for which you had drawn on us in favor of Capt. Joseph Farribault, this Bill has not yet appeared, and when it does it will not be in our power to honor that as well as those drawn in favor of Capt. Joseph Conand, and Joseph Calvert for the reasons already assigned, unless they will receive our Currant Paper money at the present governing Exchange, i.e Six Paper Dollars for one Spanish; and this they decline as the Paper money is of no use to

them out of these States; must therefore desire You to settle with them at Orleans. To enable Capt. Calvert to defray his Expences at the Havana we have furnished him with Dn. Juan De Miralles's Draft on his Lady for forty Dollars, for which You have Capt. Calvert's Receipt that he may account with You therefor. Captain Calvert has proposed to this Committee that if he could be favored with a Commission he would fit out a private armed Vessell in order to annoy the Enemy; We therefore inclose you a Blank Commission with Bond and Instructions for that purpose. When he has fixed his Vessell, you will please to take his Bond properly executed to remain in your possession, fill up the Blanks in the Commission, which with the Instructions deliver to him.

Your Letter of the 10th April informs us that You had that day drawn on Messrs. Saml. & J. H. Delap at Ninety days sight for 10,897 Dollars, but as it was still uncertain whether Messrs. Delaps may have Funds of your's in their Hands to do Honor to those Bills you had wrote to the Honble Benjamin Franklin Esqr. very minutely on the Subject, in order that he may see those Bills paid for the Credit of these States; we shall corroborate that request pressingly in our Letter to the Ambassador By a Packet Boat that is to be dispatched for France in a few days, and forward Duplicates by others.

By a neglect (which could not at the time be avoided) in making Taxation coeval with our Paper Emissions, the latter is encreased to such an enormous quantity as to double the Sum necessary for a medium, and occasion a rapid Depreciation; this has at length opened the Eyes of the People; who readily consent to large Taxations in order to sink a part of the circulating Paper, so as to appreciate gradually the remainder & thereby bring it back nearly to its original Standard.

It gives us real pain when we reflect on the many difficulties you have laboured under by your Exertions for the Public cause, and be assured Sir our utmost endeavours shall be used for your speedy Relief.

The Ship Morris being originally designed for an armed Cruizer, as such was under the immediate direction of the Marine Board with whom we last night held a Conference, the result was, that the Commercial Committee have the direction of said Ship, and perceiving by your Letter of the 15th Decr. She was fitted, Officered and Manned complete, and You only waited for Orders where to send her, we have Concluded it will at this Juncture be most beneficial for the United States to have her laden with Staves and such other Lumber as is most suitable for the Island of St Domingo, where from the low price of Sugars, Taffia & Molasses, the Lumber may be sufficient to purchase a Cargo of those Articles, with which She may proceed to this, or some of the Neighbouring Ports. If it is in your power to effect it we should be well pleased to have the Scheme carried into

Execution, as the above Articles will be of great use in our Army Hospitals, but if otherwise, we must submit to have her sent immediately to this Port where upon her arrival she will be fitted for a Cruizing Ship. Should You send the Morris to St Domingo we submit the Consignation of the Cargo &ca there to your Direction. We are Sir, Your Most Humble Servt, Frans. Lewis by Order

[P.S.] Capt. Calvert has informed the Committee that he had put into your Hands for public use Three Hundred Pieces of 8/8 which he says he was to receive here, and desires us to inform You that Sum is not paid him. Your ut supra, F Lewis

(Copy) The 2d of this recd. was signed by F Lewis, James Searle.

3d Novemr. 1779. This will be handed you by Mr. Jos. Conand to whom we have paid your Bill on the Committee dated 10th April in his favor for Fifteen Hundred Spanish Dollars. An Embargo still exists on all Provisions in order to provide sufficient for our Army as well as for the Count D'Estaing's fleet & Army who are daily expected on this part of the Coast from Georgia where he has lately made a Descent. (Copy) (no more received)

Tr (DNA: PCC, item 50, fols. 196–202). FC (DNA: PCC, item 50, fols. 42–48).

¹ Oliver Pollock, commercial agent for the United States at New Orleans, is identified in these *Letters*, 7:188n.1.

² Pollock's letters to the committee, except for those of October 10, 1778, and April 10, 1779, are in PCC, item 50, which also contains duplicates of this and other correspondence that Pollock submitted to Congress in 1782 in support of his claims for goods and services provided to the United States.

³ See *JCC*, 14:787; and Committee of Commerce to Benjamin Franklin, July 21, 1779, requesting that Pollock's bills be honored in France. For a discussion of Pollock's claims against the United States, see James A. James, *Oliver Pollock: The Life and Times of an Unknown Patriot* (New York: D. Appleton-Century Co., 1937), chap. 16.

John Fell's Diary

Monday 19th July [1779].

Commercial Committee. Congress. A number of Letters and dispatches read. Genl Waynes with an Account of his having surprisd and taken the Garison at Stoney Point with 500 Men. Genl Washington Letter with an Acct of the Enemy having Plunderd New Haven and Burnt Fairfield, Green Farms, Norwalk & Bedford &c.

P. M. Marine Committee.

MS (DLC).

John Jay to Nathanael Greene

Sir

Philadelphia 19th July 1779.

I have had this morning the Pleasure of receiving your favor of the 14th Inst, enclosing a Copy of one from Thomas Chase. It was committed to the Board of war.¹

I have Honor to be with, great Respect & Esteem, Your most Obedient Servant.

LB (DNA: PCC, item 14).

¹ Greene's July 14 letter to Congress and the enclosed July 1 letter to him from Col. Thomas Chase, deputy quartermaster general at Boston, are in PCC, item 155, 1:147–54. For Congress' resolves of July 23 adopted in response to their recommendations for protecting Continental property—particularly barracks, hospitals, stables, and storehouses constructed during emergencies on private property—see John Jay to the States, July 28, 1779, note.

John Jay to Samuel de Lucena

Sir,

Philadelphia 19th July 1779.

You will receive herewith enclosed a copy of an Act of Congress of the 17th Inst, expressing their Opinion of the merits of your late Petition.¹

I am Sir, Your most Obedient Servant.²

LB (DNA: PCC, item 14).

¹ Congress had resolved that Lucena had “no just claim upon the United States for a reimbursement of his expences incurred in searching for sulphur mines, as set forth in his petition,” adopting the reasoning of the Board of War, which had asserted its presumption “that his predominant views were the private advantage he should gain, had his endeavors proved fortunate.” See *JCC*, 14:734, 844–45; and PCC, item 42, 4:200–203.

² This day Jay also sent to Col. James Easton, formerly a captain in Ethan Allen's corps that had taken Ticonderoga in 1775, a July 16 resolve of Congress, based upon a recommendation of the Board of War, dismissing him from the Continental Army. Easton had been charged in 1776 with having been involved in “Plundering the effects of prisoners taken at Sorrell” during the invasion of Canada, and although no court of inquiry had ever been held to determine the validity of the charges, Easton was held responsible for failure “to have procured such court to sit, or if that had been found impracticable, to have informed Congress thereof.” Since he had done neither, “but has contentedly drawn his pay to this time,” Congress simply resolved that he “be dismissed from the service of the United States.” See *JCC*, 14:842–43; and PCC, item 14, fol. 151, item 147, 3:519–21.

James Lovell to Abigail Adams

Philadelphia July 19th. 1779

Your Favor of June 18/26 is this Hour come to hand.

“Do I love the natural Sentiments of the Heart”? Yes, AMIABLE Correspondent, I truly love them; and your little Story was far, very far from *non-natural*. You was betrayed, it seems, by a Combination of Circumstances such as a tender Sensibility and the Dusk of the Evening, to make a Pressure to your lovely palpitating Bosom which soon after cost you a crying Spell.

If I do not forstall you by making a Remark here myself, I shall expect that in your next Letter you will turn my false Wit upon me, and by making *natural* mean only *common*, you will tell me that your misfortune had very natural Consequences, since the Celadon or Lothario who was the Means of your Sorrow only smiled at the Tears which he had caused. But—to be sober, I hope you have by this Time realized more substantial Pleasures than the Receipt of a Packet from my esteemed Friend. I have written to you lately by Express my Opinion of his Return. Winship’s Letter three days later than Arthur Lee’s is a strong Confirmation that you are to be soon happy.¹

Every Thing that wears the Appearance of Injury to him may be resolved into the Dilatoriness which springs from the Nature and Constitution of a certain Assembly here.

Promise me that you will be upon your Guard against Tremors at the Sight of Superscriptions upon *large* Packets not in the Hand-writing you wish most to see, and I will put up a Set of Journals for *your* Mr. A. that you may read all the Weaknesses of some who are called great Men.

I find by Letters from my dear Polly that a Mr. McClane is coming Express, by whose Return I shall be able to perform the Promise just made, and to renew the affectionate Assurances of my being, Your obliged Friend and humble Servant,

James Lovell

RC (MHi: Adams Papers). Adams, *Family Correspondence* (Butterfield), 3:213.

¹ Dr. Amos Windship (1745–1813) was serving as a surgeon on the Continental frigate *Alliance* which was then at L’Orient, where John Adams was expected to embark from France. *Ibid.*, p. 208n.3.

Marine Committee to Benjamin Franklin

Sir [post July 19, 1779]¹

Inclosed you have a certified Copy of a Resolution of Congress dated July 19. 1779; by which you will perceive the Marine Committee are empowered and directed by Congress to carry into Execution their Manifesto of the 30 of Octr. 1778.² In pursuance of this Authority and for the more speedy accomplishment of the Ends proposed, we authorise and most earnestly request you, to take every Measure in your power, to aid and assist us in the Execution of this Business.

It is not our Intentions to confine the Measures to be used on this Occasion to open and hostile operations; But on the contrary it is expected and we wish and desire that you would cause, at the Expence of the United States, any of the Towns of Great Britain or the West Indies, secretly to be set on fire. In particular London, Bristol, Liverpool, Glasgow and Edinburgh are to be considered as the first objects of national retaliating resentment; and above all, London, the Seat of royal Residence and vindictive rage and the quarter from which have issued the orders for the conflagrations which have by the Enemy been lighted up in these United States.

America would have the Monarch see, that when provoked she can light up fires even at his own Doors. And in this Business it is requested, that you will use every possible Exertion. This Measure, in which so many Calamities are involved, and so contrary to the known and acknowledged Humanity with which Congress have heretofore carried on the present war, has, at length become, for the sole and direct purpose of self preservation, absolutely and indispensibly necessary, from the cruel and unprecedented Manner in which our Enemies are daily carrying on the present War. Our Villages on the Sea Coasts are numerous, most of them defenceless, and all of them, with very few Exceptions, exposed and easily accessible to a naval Force, which renders them at any Time a prey to a savage and desolating Enemy.

The Towns of——³ heretofore laid in ashes, and the late successful attempts in burning and destroyed [*sic*] the Villages of Fairfield, Norwalk and Bedford in Connecticut and New-York, and the unquestionable proofs Congress have received, that the Vengeance denounced against these States in the Manifesto of the British Commissioners will be executed in its fullest extent, has induced them, as the only effectual Means, to put a stop to the further destruction of our Country, to retaliate upon our Enemy by destroying, if possible, some of the most distinguished Cities in Great Britain and the West Indies.

Our Countrymen have long complained of the slow and forbearing disposition of Congress, when every day announces to them the destruction of some part of their Country. To meet these Ideas, they have at length solemnly determined to revenge themselves on their Enemies, and to leave untried no exertions for carrying into execution their Manifesto of the 30 of Octr., 1778.

A few *desperate determined*⁴ Men, under the promise of handsome rewards, and well acquainted with the Situation of the large Towns in England & Scotland, will perhaps be the best instruments that can be employed for the Accomplishment of this Work. We do not however wish to point out any Mode that shall be obligatory upon you; your own Judgment and observation will readily suggest to you such Steps as are most likely to answer the Ends proposed.

As the avowed Determination of the Enemy, as set forth by the British Commissioners, is to render us of as little use as possible to our ally, perhaps it would not be improper, if Capt. Jones should be in France, and his own force is inadequate, to request further aid, and attempt the destruction of some of their Towns by a naval surprise.⁵

How such a Measure will accord with the Sentiments of the Court of France, your Situation will best enable you to determine. If it should appear to you improper to communicate the Matter at all to the Minister of France, you will then forbear to do it.

We cannot conclude without once more earnestly pressing upon you, the Necessity of striking some blow similar to those suggested in the resolution of Congress. The destruction of a single village would instantly convince our Enemy of the Danger to which they are exposed, and the Necessity there will be, of desisting from the present destructive mode in carrying on the War.

FC (DNA: PCC, item 152). In the hand of William Whipple.

¹ Although this draft letter is undated, Whipple clearly wrote it after Congress adopted a resolve on July 19 directing the Marine Committee "to take the most effectual means to carry into execution the Manifesto of October 30, 1778, by burning and destroying the towns belonging to the enemy in Great Britain and the West Indies." Congress had adopted this resolve in response to a letter of July 13 from General Washington reporting the recent British "devastations" in Connecticut. With his letter, Washington had enclosed a number of documents relating details of the recent British raid into Connecticut, including accounts of Gov. Jonathan Trumbull and Gen. Samuel H. Parsons, and a copy of Sir George Collier's and Gen. William Tryon's July 4 "Address to the Inhabitants of Connecticut," reminding them of their vulnerability and inviting them "to set the first Example of returning to Allegiance." After explaining some recent measures taken to repress further "depredations," Washington concluded with the observation: "If it is practicable, it seems to me, high time to retaliate by destroying some of their Towns." Congress referred Washington's letter this day to a committee consisting of William Carmichael, Gouverneur Morris, and William Whipple. The committee's report, which was written by Morris and laid before Congress on August 2, contained a similar draft of a letter for Franklin but no action was taken on it by Congress. There is also no evidence that either letter was ever sent to Franklin. See *JCC*, 14:852; 915–16; *PCC*, item 152, 7:529–31, item 19, 6:271–72; and Washington, *Writings* (Fitzpatrick), 15:419–21.

Whipple undoubtedly drafted this letter because of his dual role as a member of both the Marine Committee and the special committee to which Washington's July 13 letter was referred. His draft was originally "discovered" and identified by Worthington C. Ford, who thereupon wrote a brief account of the affair in the context of the information then available to him for the *Nation*, vol. 87 (July 23, 1908): 69–70.

² Edmund C. Burnett printed under this date a proposed resolve on retaliation that he attributed to Henry Laurens. Burnett, *Letters*, 3:328. Although the original document is located in the Henry Laurens Papers, no. 25, ScHi, it is clearly in the hand of Massachusetts delegate Francis Dana, who left Congress in August, 1778. The proposed resolve must therefore have been written sometime during Congress' sporadic consideration of a retaliation policy that ultimately resulted in the passage of the October 30, 1778, "Manifesto," before Dana's departure from Congress. For the obscure evolution of that "Manifesto," see these *Letters*, 10:470n.4.

³ In the August 2 committee report on Washington's July 13 letter, "Portsmouth

and Suffolk in Virginia" were mentioned in this context, but Portsmouth was then crossed out. *JCC*, 14:915.

⁴ Whipple wrote "determined" above "desperate" and underlined both.

⁵ This prospect had already been pondered by Franklin, but he was as yet reluctant to see the United States become embroiled in such a war of retaliation. Thus in his April 28, 1779, instructions to Capt. John Paul Jones, Franklin admonished him: "although the English have burnt wantonly many defenseless towns in America, you are not to follow this example unless where a reasonable ransom is refused." However, after learning the results of the British raid into Connecticut at this time, Franklin was apologetic for drafting such moderate instructions and confessed to James Lovell in a letter of October 17, 1779, that "The late provocations, by the burning of Fairfield and other towns, added to the preceding, have at length demolished all my moderation, and were such another expedition to be concerted I think so much of that disposition would not appear in the instructions." Wharton, *Diplomatic Correspondence*, 3:146, 384.

William Whipple to Ebenezer Thompson

My Dear Sir¹

Philadelphia the 19th July 1779

I wrote you by last post² that I had taken Mr Emersons effects out of the hands of Mr Stephenson.³ I have since sent them forward by the waggon that conveyed the money to replace that taken out of circulation, & have taken the Officer of the Escorts receipt for the Chest, to deliver it at Exeter to Nicholas Gilman Esq, and shall herewith send you an Inventory of its contents, also Mr Stephensons accot together with a copy of the receipt I gave him, by which you'll find I have 655 dollars in my hands, if that sum can be taken out of the Treasury & charged to my accot it may be of immediate use to the Family besides saving the Risque & perhaps some expence of Conveyance.

I find by a memorandum left by Mr Emerson that he had lent some money which I shall endeavor to collect, there is also something due from the Treasury, which it is necessary some person should be properly authorized to receive, in my Opinion it would be well to forward such powers as speedily as possible, in the mean time I shall endeavour to obtain the money by offering such security as is in my power, there are a few articles which I think are not worth transporting so great a distance, I shall therefore have them sold here, as noted in the Inventory.

I filled up the Chest with a number of the journals of Congress which I mentioned in a letter to Col. Gilman,⁴ these I suppose will be taken out at Exeter. I am informed the Cloaths have been washed and aired and as Mr Emerson died before the Pock filled, I cannot suppose there is any infection in them, however it may not be inconsistent with prudence for those who have not had that distemper to be cautious about handling them before they have another airing.

You are undoubtedly informed of the scituation of our Military affairs in South Carolina to the 10th of June, & the paper which I

shall now inclose you will give you the last accots from that Country; to the same paper I must beg leave to refer you for all the accots we have receivd of the Glorious event that has lately taken place at Stony point; If we should be so successful as to dislodge the Enemy on the other side the River, Sir Harry's Ravaging Plans will be very much if not totally disconcerted, however we may expect he will execute them as far as is in his power, as they were formed in the Savage Council of Britain & being a favorite Project of that infernal Barbarian who we once called our King—And is it possible that there can be at this day, a single person who has the most distant desire of being under the Government of such an execrable Villain? Future Generations will not believe this part of our history much less will they believe that such wretched miscreants are permitted to remain among us. I should be happy to hear that the authority of New-Hampshire were taking effectual measures to rid that State of all such miscreants, these People are Justly Chargeable with the greatest part of the misery of this cruel war, & still they are suffered to remain quietly among us, doing all the mischief in their power.

The events of this Campaign will undoubtedly have great influence on next winters negociations, it is therefore of the utmost importance that we use every exertion in our Military operations to strengthen the nerves of, and give boldness to our negociator.

Our latest advices from Paris are the 6th Apl.,⁵ there is nothing contained in the dispatches of consequence, that I may communicate at present, I can only say our affairs wear a much better aspect in every other part of the world than in our own Country.

Please to present my respects to my old Colleague Mr Frost, also to all the Gentn of Your Board at Exeter, and accept the best wishes of, Your affectionate Friend & Most Obed Sert, Wm Whipple

RC (Nh—Ar: Weare Papers).

¹ Ebenezer Thompson (1737–1802), a Durham, N. H., physician and member-secretary of the New Hampshire Council, 1775–86, had been sent to confer with the committee of Congress in Vermont, but he arrived there after the delegates had departed. He was also appointed a delegate to Congress in 1778 and 1783, but did not attend. See *N. H. State Papers*, 8:789, 821, 831, 969; and Bartlett, *Papers* (Mevers), p. 18n.3.

² Not found.

³ Moses Emerson, of Durham, N. H., had been serving as commissioner of accounts for the Eastern District at the time of his recent death. See Whipple to Josiah Bartlett, May 21, 1779, note 3.

⁴ Not found.

⁵ Whipple is referring to a number of letters from Arthur Lee dated from October 1778 to April 6, 1779, which were read in Congress on July 15. See Committee for Foreign Affairs to Lee, July 16, 1779, note 1.

John Fell's Diary

Tuesday July 20th [1779].

Coml Committee. Congress. This day taken up intirely in reading Letters of the cruelties committed by the Enemy in different Places &c And according to Costom very little Business done.¹

P. M. Marine Committee.

MS (DLC).

¹ However, the Committee on Appeals did meet this day, to hear the case of *Price v. The Success*, and "decreed a Dismission of the Appeal of Elisha Doane from the Sentence of Condemnation of the Sloop Success in Jersey" on the motion of the attorney for the appellee, Elisha Doane of Wellfleet, Mass.

The Success, owned by Doane, had been captured by a British ship, but then it ran aground on the New Jersey shore where it was recaptured by John Price and other residents. The New Jersey Court of Admiralty had awarded one-half of the value to the owner and one-half to John Price and the recaptors. Doane had filed an appeal with Congress on June 2, but when the committee, consisting of William Henry Drayton, Thomas McKean and Henry Marchant, met on July 20 to hear the case, Doane's lawyer, Sylvanus Bourne, withdrew his appeal. See *JCC*, 14:677; and case file no. 51, RG 267, DNA.

Samuel Holten to the Massachusetts Council

Sir,

Philadelphia July 20th. 1779.

I congratulate you & the Honble. Board on the success of our arms at Stony Point, under the command of Genl. Wayne, the Surprize was complete & the garrison (consisting of about 500) all made prisoners, with their artillery, baggage, &c, &c, with but a small loss on our side.

I suppose before this comes to hand, you'l have received the particulars of a late battle in South Carolina, which from the best accounts I can collect, terminated most in our favor.

I have the honor to be, with great respect, sir, your most obedient servant;

S. Holten

RC (M-Ar: Revolutionary War Letters). "The Honorable, The president of the council of Massachusetts Bay."

John Jay to George Washington

Sir,

Philadelphia 20th July 1779.

I have been honored with your Excellency's Favors of the 30th Ult. by Coll. Morgan, and of the 13th & 16th Inst. with the several papers to which they refer.¹

General Waynes Coup de main occasions as much Joy, as the

barbarous conflagrations of the Enemy excite Indignation. The former I hope will lead to further successes, the latter to retaliation and Resentments favorable to our Independence.

A Supply of money for the Use of the Army has been ordered.

Herewith enclosed is a copy of a Letter from Doctor Morgan, & of three other Papers which accompanied it—Congress by their Act of Yesterday refer them to Your Excellency.²

I have the Honor to be, With the greatest Respect and Esteem,
Your Excellency's Most Obedient Servant, John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ *JCC*, 14:851–52, 854. Washington's letters of June 30 and July 13 are in *PCC*, item 152, 7:431–34, 529–31, and Washington, *Writings* (Fitzpatrick), 15:342, 419–21. His brief letter of July 16, enclosing Brig. Gen. Anthony Wayne's account of his capture of Stony Point, printed from the draft in the Washington Papers, is in *ibid.*, p. 430.

² Dr. John Morgan had just submitted additional evidence to support his charges against Dr. William Shippen, Jr., which Congress had previously referred to Washington for investigation. See *JCC*, 14:854; and Jay to Washington, June 30, 1779.

James Lovell to Samuel Adams

July 20th. 1779

I am, just at this moment, glad that you have fallen into the habit of some others who wish to hear weekly from hence. Not a Line from you to yesterday's Post. I have more Leisure to write to Col. R.H.L. who desires to be warmly rem[em]bered to you.

The News paper tells a long story; and a very fine short one. *You* remember a *doleful Letter* about the Enemy taking a strong Post at Stoney Point; so that you will fully relish the late Event. For my Part I did not expect that *even an Attempt* would be made to beat the Enemy out if the War lasted 7 years. It is a prodigious Affair under such Circumstances.

I am vexed beyond Measure at a Publication made by Dunlap on the 17th of a letter from Boston of the 29th of June about yr. Embargo, and a Fleet going to Penobscot. That Fleet did not sail till the 8th or 9th of this Month, one capital Ship from New York or Halifax may ruin the whole Expedition, and I doubt not you have in your very Bosom, people who have not written round about thro Dunlap to Genl. Clinton.¹

Last Saturday we got all *shook up together*, as I find some of your old Assembly-Men phrase it, about our Tomcod.² Sherman, McKean &c. &c. have fallen upon Something that suits J.J. does & doesn't suit G M & W H D,³ will do with some & will not do with others of the *Faction* meaning your honor &c.

However, I hope a Decision will be made for I think we may make out to rub & go at least with the Ground work layd before you left us.

A pretty Letter this to be published in New York with the Name of,
James Lovell

RC (NN: Adams Papers).

¹ Just as Lovell feared, a small British fleet commanded by Sir George Collier left New York on August 3 and arrived in Penobscot Bay in time to destroy the American fleet besieging the British forces there. See William M. James, *The British Navy in Adversity* (1926; reprint edition, New York: Russell & Russell, 1970), pp. 164–65; and William J. Morgan, *Captains to the Northward: The New England Captains in the Continental Navy* (Barre, Mass.: Barre Publishing Co., 1959), pp. 169–79.

² That is, the American claim to the northern fisheries.

³ That is, John Jay, Gouverneur Morris, and William Henry Drayton.

Henry Marchant to Congress

July 20th 1779

[Henry Marc]hant One of the Delegates for the State of Rhode Island &c begs Leave to present to Congress an Estimate of the Value of certain goods belonging to Messrs. Cromwell and Caleb Child and Moses Turner of Warren in the State aforesd., destroyed the 26th of May 1778 by the British Troops blowing up a Store belonging to the said Cromwell & Caleb Child part of which was at That Time in the Contl. use as a Magazine. And the said Henry Marchant prays in Their Behalf that such Order may [be made thereon?] as that Justice may be done the Sufferers in the Remiss.¹

Hy. Marchant

RC (DNA: PCC, item 167).

¹ Congress referred this request for indemnification to the Board of Treasury, but there is no evidence that any action was taken on the memorial. In 1783 Caleb Child renewed his quest for an indemnity, but the report of the committee to whom his appeal was referred was simply read and ordered to lie on the table. See *JCC*, 14:855–56, 24:483.

Henry Marchant to William Greene

Dear Sir,

Philadelphia July 20th. 1779

By the Waggon and Escort which conveys the Monies to the New-England States for exchanging the Emissions called in, I have sent a Pine Box, directed to Joseph Clarke Esqr. the Genl. Treasurer & have wrote him fully thereupon. The Box contains twenty of the 2d Vol. of the Journals of Congress, which I was anxious the State should have, and twenty of the Pamphlets called Observations on

the American Revolution. I have directed One to Your Excellency in particular, & several others to particular Friends, but the twenty above mentioned are for the use of the State & their Order.

I now enclose your Excellency two weekly Journals bringing them down to the 19th of June 1779.

I congratulate Your Excellency upon the noble Exploit of Genl. Wain upon the North River; This will pretty handsomely Eclipse Genl. Clyntons swift, inglorious, pilfering, ravaging & burning Expedition. For which Actions of His, and his under Devil Tryon, I hope we shall have it in Our Power to make proper Retaliation. Our Affairs at the Southward wear a very pleasing Aspect, altho' Our former Intelligence fell entirely through. We have now certain Intelligence that we attacked them in their Lines on the 20th of June, and tho' not able to carry them for want of heavier Artillery, yet the Attack was conducted with bravery, Intrepidity and much Advantage.

There is a prospect that we shall, if it has not been done, cut off Their Communications with Their Shipping, and make conclusive Work with Them.

My Respects to Your good Lady & Family. I am most respectfully, Yr. Excellencys, most obedient, & very humble Servt,

Hy. Marchant

RC (R—Ar: Letters to Governors).

Nathaniel Peabody to Josiah Bartlett

Dear sir, No. 3. Philadelphia July 20th 1779.

Your favour of the 3d instant¹ Just came to hand—am extreemly sorry to hear that our friends at the upper Coos are thus Harrassed by the aboriginal natives of this Country, especially at a time when their labour is so much wanted, to gather in the Luxuriant Crops with which Heaven hath So bountifully Cloathed the face of the Earth, And with Some effectual method may be adadopted to prevent any farther Annoyances from that herd.

The intended expedition to dislodge the Enemy from Penobscot not having been Conducted with that Secrecy the Nature thereof requir'd by which means the Enemy have got intelligence and Sent a reinforcement²—notwithstanding the agreeable News we had the other day from South Carolina has proved to be without foundation. Yet give leave to assure you the Situation of our affairs in that Quarter promises Success.

The inclosed papers will give you intelligence of the Success of our Armies in Various parts tho, it is probable you will get the most of it before this reaches you.

You ask Several Questions viz “is a French fleet expected on our

Coasts or up Canada river this year? Will Spain intermeddle in the War? Can Congress procure a Loan of hard money? When will the Continental Lottery finish Drawing?" To which I answer

Circumstances have been Such as led us to expect the Assistance of a French fleet on our Coast this Campaign; But as the hurricane months are advancing leave You to Judge of the probabillity.

The Catholicism of his most *Supine* Majesty has kept him, for a long time open to all parties, & perhaps it was for the best, But have good reason to Conclude, Spain will Soon take an active part with us, against those whom they have long viewd with Jeloussy, Envy, & Dread.

A Foreign Loan for hard money Not yet determined. Our finances have been in a bad Situation but hope things are Comming Right.

The drawing of the Lottery is at last Completed.

I must beg of you to forward all Letters to & from my family. Complements to all friends—Adieu for this time. I am my dear Sir Your most obedt and very Humble Servt, Nathl Peabody

P.S. Please to write.

RC (NhD: Bartlett Papers).

¹ Not found.

² See James Lovell to Samuel Adams, this date, note 1.

Nathaniel Peabody to Meshech Weare

Hond And Dear sir

Philadelphia July 20th. 1779

In my last which was wrote in great hast,¹ I had the Honr of inclosing you Several Newspapers & handbills, Since which foreign letters have been received as late as the 6th of April 79, informing That Briton, finding herself baffled in her diabolical Efforts to Subjugate the Good People of these States to the despotic domination of a Dupe to an Ignominious Tyrant whose tender Mercies are Cruelty; destitute of that Humanity which never finds a Sure habitation but in a generous breast, and Contrary to the Laws & Customs of all Civilized Nations, had Given Express orders to their Commanding officers in America to Kill, & destroy, plunder & burn all the defenseless Towns in their Power, and in particular directed the late infernal Excursion to New Haven—a particular account of which enterprize no doubt you will have before this reaches you. Nevertheless I herewith inclose the best accounts we have of all the late Manceuvres of both Armies. I heartily Congratulate my fellow Citizens on the favourable prospect at the Southward and the Lucky affair of Taking by Surprise Colo Johnson with about 500 prisoner and a very Strong & important Fortress on the North River, which

Circumstance will Give New life & Vigour to our Troops, and furnish a historic page in the Annals of America.

Your delegates here have Sent on to the State a Number of the Journal of Congress except for the year 78, which are not yet Come from the printer—and the earliest opportunity will be improved in forwarding them when Completed.

I am with due Respect, Honrd Sir, Your most Obedient, and very Humble Sevt. Nathl Peabody

P.S. Sr. I must beg youll please to inform me, as Soon as you have opportunity, whether you have Received my letter dated June 3d inclosing an agrement of Very Great importance to me & my friends. I left it in the Care of my friend Mr. Blanchard who knew nothing of what it containd, if Recd please to inform when & by whom. I now inclose you a letter from Doctr. S. Hodges to Mr Jesse [John]son, beg youll Seal & forward it [as] Early as possable to Mr. Johnson. I understand affairs appear pro[mising], &c &c. Yrs. N P.

RC (MHi: Weare Papers).

¹ See Peabody to Weare, July 9, 1779.

Joseph Spencer to Oliver Ellsworth

Dear Sr.¹

Philadelphia 20th July 1779

At the Desire of Doctr. Witherspoon Last week I received for you, and Mr. Root, 1600 dollars (Mr. Shearman who you had desired to receive it being gone home). Should be glad you'd please soon to direct what I shall do with it. For News I refer you to the Enclosed paper, have nothing remarkable to add. I am Sr. your Most obedient Humb. Servt.

J. Spencer

RC (PHC: Roberts Collection). Endorsed by Oliver Ellsworth: "Genl. Spencer, July 20."

¹ Although this letter is not addressed, it was undoubtedly written to Oliver Ellsworth, in whose hand it is endorsed and who served with Jesse Root and John Witherspoon on the committee to visit the New Hampshire Grants. The money received by Spencer was probably their recompense for the committee undertaking. *JCC*, 14: 676.

Committee of Commerce to Benjamin Franklin

(Duplicate)

Dear Sir Commercial Committee, Philadelphia 21st July 1779

By a Letter dated New Orleans 10th April last from Oliver Pollock Esquire Continental Agent at that place is the following Paragraph.¹

"I have this day drawn on Messrs. Samuel and J. H. Delap sundry

Bills amounting to 10,897 Dollars at 90 days sight, but as it is still uncertain whether Mr. Geronimo la Chapelle will be there when they arrive, or that Messrs. Delaps may have funds of mine in their hands to do honor to those Bills, I have taken the liberty of writing the Honorable Benjamin Franklin Esqr. your Ambassador at Paris very minutely on this subject in order he may see those Bills paid for the credit of the States: I have taken this precaution in consequence of your Letter of the 12th June 1777 wherein you desire me to let you know on what terms I can sell Bills on France or Spain."

Now Sir, as this Gentleman in purchasing many necessities by Orders from the Committee of Commerce is largely in advance (say about 70,000 Dollars) for the United States, and thereby greatly distressed, nor is it in our power at present to give him relief until new Flour is brought to Market, an Article much wanted there, and the only one in our power to reimburse him with. In order to prevent the evil that will inevitably ensue to him as well as to the honor of these States should those Bills be protested, induces us most earnestly to request your interference in this matter, so as to prevent the Bills being protested, and please to advise us with the result.

We have the honor to be, With the greatest respect and esteem,
Your Excellency's Most humble Servants.

Signed by order, Fra. Lewis

RC (PU: Franklin Papers). In the hand of Moses Young and signed by Francis Lewis.

¹ For the committee's commercial involvement with Oliver Pollock, see Committee of Commerce to Pollock, July 19, 1779.

William Henry Drayton to Sir Henry Clinton

W. H. D. to Sir HENRY CLINTON, K. B.

Philadelphia, July 21st, 1779.

Hitherto, Sir, I have addressed you as a British Commissioner:¹ I now have the pleasure of writing a few lines to you as the British Commander in Chief. Accept them Sir Harry, they will celebrate your exploits.

There is reason to think, that your defeat and subsequent inactivity the last summer, were to be contrasted by your victories and activity in the present campaign. Your predecessor, Sir William Howe, gave notice to his superior of his intended *forward* movement to White-Marsh: And, it is probable that you have observed the same line of conduct respecting your enterprize up the North-River. Sir William marched to crush General Washington: You advanced—but what was your object? Was it Fort Arnold at West Point—was it the small Fort La Fayette and Stoney Point—was it to take an actual survey of the North River—what was it? We know, that Sir William

returned *re infecta*. General Wayne writes in the Cæsarian stile, and I will not anticipate his account of the conclusion of your enterprize.

But, what was your object? Great were your preparations. They were of a secret complexion. They were made at your leisure. North-River at length beheld you in all your might. You appeared like a Colossus striding from New York to Albany. You seemed to threaten, that at a blow, you would divide the United States of America. What would not have been your honors and your rewards, Sir Harry, had you in executing this threat done that, which Sir William Howe, with a much superior force, had not dared to attempt!

In the plenitude of your power, you advanced up the North River. La Fayette had the boldness to obtrude upon your attention. Indignant—you revenged the affront: Yet, this was not the work of a moment. After the exertion of your power by land and water, during a day and an half, at the head of the British forces, you, Sir Henry Clinton, found it expedient to grant an honorable capitulation to a garrison of fifty men!

Here you planted the British colours; and on the opposite shore, with eight hundred fatigue men, for weeks you laboured to render Stoney Point impregnable. In idea, you already curbed the haughty States of America; and, you sat down in your tent to announce your conquest to your sovereign. But, Sir Harry, how incautiously did you pen your triumphal dispatch! Victory urged—she was a new attendant—a favourite; and she maliciously prompted a conduct, to give pangs to your master, and lustre to the American arms.

I think I see the court of St. James's devouring the contents of your dispatch. "The attack upon La Fayette—the cool valour of his Majesty's officers in the army and navy—the ardour of the troops and seamen—the strength of the works taken—the commanding situation of Stoney-Point—and the endless train of advantages to yourself, and of difficulties to us, from your possession of it." The monarch is in an extacy of joy! His ministers congratulate each other, as if rescued from Tower-Hill. The royal appartments resound with, "Clinton!"—"Sir Harry!"—"North River!"—"communication cut off!"—"eastern provinces surrounded!"—"starving"—"submitting to the anticipated prowess and vigour of Sir George Collier and General Tryon!"—with one voice, all the ministers celebrate thy name, O! Sir Harry Clinton! the sword, the spear of Britania!—the bells ring appeal—bonfires glare—conduits run—shouts rend the air—and rockets fly up and decorate the heavens with new stars in honor of Sir Harry Clinton!

But, how transient is thy glory! Already it is in the *wane*. Hark! a thunder from Stoney Point! See! The gallant Wayne in silence and by starlight marching up to the mouths of your roaring cannon! Without the discharge of a single musket, he mounts your laboured ramparts—"what!" and with twelve hundred American troops in a

moment captures five hundred British veterans—their works, their cannon, arms, stores, baggage—their honor! It is Wayne's re-surprize. The American troops feel their own force; and your's, Sir Harry, feel and acknowledge it. In this stage of the campaign, these sensations do not tend to enable you to send laureled messengers to White Hall. As brilliant as was the joy in the British court upon the news of your conquest and establishment at Stoney-Point; so gloomy will be their sorrow, upon the news of your ruin in that quarter. Your labours and your glories since the commencement of the campaign in the latter end of May to the 16th July, are overturned and destroyed by starlight in a single hour! Can you bear this reverse, Sir Harry! What will you say of your troops and your discipline! What must you say of our troops and our discipline! With the British army and navy under your orders, on the second of June, after an attack of a day and an half, you captured a small fort and fifty men on the east side of North-River. With twelve hundred Americans, on the 16th of July at 2 o'clock in the morning, without firing gun, and within an hour, General Wayne stormed and carried five hundred of your men in a regular fortification in an almost inaccessible situation, on the opposite shore of the river. The banks of North-River contrast, the achievements and the glories of a Clinton and a Wayne. America with pleasure and confidence sees, and Europe with astonishment and expectation will hear, that 1200 Americans with the loss of only *four* men, have rendered vain seven weeks operations by the grand army of Britain: And, have reduced them to the necessity of recommencing, in the middle of the campaign, their operations for the summer; and to labour with reduced numbers, and a lost reputation.

Certainly, Sir Harry, you most sensibly must feel an awkwardness in continuing the language and appearance of conquering the United States of America. Is it possible that Sir George Collier and Major General Tryon can read their threatening address of the 4th of July to the inhabitants of Connecticut,² and not sink within themselves! General Burgoyne's proclamation,³ even at that time of day, was thought a very extraordinary performance, altho' it was made at the head of a powerful army, but too likely to give it full effect. The just ridicule universally thrown upon it, and its fate, might have served as lessons to future military composers. But it is for Sir George Collier, and General Tryon, at the head of a few armed vessels, and a few hundred troops, and in a situation of our affairs far more, and of theirs far less prosperous than they were in summer 1777, to publish a more extravagant address than that by General Burgoyne. Let them enjoy their address, their conflagrations, their cruelties and their *murders*, not in the least tending to terminate the war, or even their predatory incursions in their favour. Let them glory in leading troops so totally abandoned, as that, when having set fire to

the Meeting House and Episcopal Church of Norwalk, they called aloud "now God Almighty come and defend your own house!" and do you also, illustrious Sir Henry Clinton, do you glory in being the commander in chief of such officers and such troops, under your orders outraging every principle of decency and humanity!

MS not found; reprinted from the *Pennsylvania Packet*, July 22, 1779.

¹ For the letters Drayton had previously "addressed" to Clinton "as a British Commissioner," see these *Letters*, 10:121n.1.

² The "threatening address" by George Collier and William Tryon probably appeared in a variety of formats and places. John Dunlap printed it in the July 20 issue of the *Packet*. See Evans, *Am. Bibliography*, no. 16291.

³ For information on John Burgoyne's proclamation of June 20, 1777, see these *Letters*, 7:495n.5.

James Duane to Mary Duane

Philadelphia 21st July 1779

I was made happy, my dearest Polly, by your Letter by Brother Peter—your tender Concern for my Health deserves my grateful Acknowledgment. The Weather here to this day is cool and uncommonly pleasant; and I cannot say that I have been incommoded by the Climate. You may be assured that I shall not expose myself, nor continue here one hour longer than indispensable duty requires. Some Matters of great Importance are drawing to a Conclusion: to leave them suspended I cannot Answer to myself nor my Constituents. When they are finished I shall return and meet my Friends with Confidence And a Conviction that I have faithfully done My Duty, and that I have obtained a Title to future Indulgence if not to the Esteem of my Country.

I highly approve of your placing our Son at School: especially so near to you that you may visit him every week and hear from him almost daily. It has taken a great weight from my spirits as it is time he should improve.

The Gouverneur wrote me that the Legislature would meet the 1st of August¹—so that I presume Brother Welles is mistaken whether they do or do not. I am very certain the publick good requires that they should as the Credit of our money depends on the Vigorous Exertions of the States.

I congratulate you on the Success of General Wayne. It is a brilliant Maneuvre which will do great Honour to the American Arms. We long impatiently to hear of General Washington's further Operations. If we should succeed as well on the East side; & reoccupy King's Ferry it will be as advantageous as honorable. We hear, with Horror, of the Devastation committed by Governor Tryon in Connecticut. While it will tarnish the Glory of the British Nation and

render them odious to All Europe: the miserable Instruments in this Tragedy will be execrated & detested. In a political View it will have an Effect directly Contrary to what is intended. Americans can never be worked to Submission by Cruelty and Devastation. Their Aversion to these Destroyers will become deeper rivetted: and their Efforts to defend themselves more Strenuous and decisive.

I flatter myself we shall have a glorious Campaign in every Quarter And that the Almighty Being who has hitherto so manifestly protected us will soon bring this War to a Safe & honourable Conclusion.

With usual Compliments & Blessings to our Parents, Friends, & Children—I remain my dearest Polly your ever faithful & affect.

Jas. Duane

RC (NHi: Duane Papers).

¹ See George Clinton to Duane, June 22, 1779, in Clinton, *Papers* (Hastings), 5:100.

John Fell's Diary

[July 21–22, 1779]

Wednesday 21st. Coml Committee. Congress. The Report on Duarte the Portugeze took up the whole day in debate.¹

Thursday 22d. Coml Committee. Congress. After the dispatches were read, the order of the day on foreign affairs. long debates and some resolutions agreed to. Marine Committee Mr Camp.

MS (DLC).

¹ For Captain Duarti's case, see Committee of Congress to Robert Morris, July 7, 1779.

Samuel Holten's Diary

[July 21–22, 1779]

21. Wednesday. Congress spent part of this day, respectg. a Portugal vessel taken by orders from Carter Braxton, and have ordered prosecutions against him.

22. Thursday. There has been a private fast this day, at the prispa[teria]n churches in this city, & at some other places.

MS (MDaAr).

John Dickinson's Draft Petition

[July 22? 1779]¹

The undersigned on Behalf of the States they respectively represent,² object to and protest against the foregoing Resolution³ for the following Reasons—

First—because, the vesting a single State (and perhaps a single person) with an absolute power directly for the purpose of prohibiting these States from all Commerce with a great Kingdom, tho the Settlement thereof may be obtained on Terms that may by them be judged just & reasonable, and may in Reality be exceedingly advantageous to all these States, is inconsistent with the principles of the Union.

Secondly—because, Great Britain may agree effectually to assure to these States the Fisheries intended in the Resolution, but may utterly refuse to insert the prescribed Form of such a Stipulation as it contains, in a Treaty; and such an Assurance, if the Stipulation cannot be obtained, ought to be accepted by these States—or, if such an Assurance cannot be obtained from Great Britain, but may be obtained from the Ally of those States, the same ought to be accepted, rather that the Treaty of Peace or of Commerce with Great Britain should be wholly broken off.

Thirdly—because, the Resolution has a Tendency to create Discords among these States, by exciting Apprehensions, that the essential Interests of a great Majority may be sacrific'd to an arbitrary Form assumed by an over-anxious Attention to a point more peculiarly interesting to a few.

Fourthly—because, the insisting on the Submission of Great Britain to this Form may occasion a Continuance of the War, as She may refuse to conclude a Treaty of Peace which is to procure her no Benefit from the Commerce of these States, unless she shall assent to so humiliating a Mode of proceeding.

Fifthly—because, it being uncertain whether Great Britain may not act, and very probable that she will act in the Manner mentioned in the next preceding Clause, Delegates are not warrantable in committing their Country to further Distresses and Calamities for the Attainment of a Submission to that Form.

Sixthly—because, if Great Britain shall act in the Manner supposed, the Ally of these States, and the power whose Mediation is expected, may impute the Continuance of the War to a dictatorial Haughtiness in those States, and may be highly disgusted—A Consideration strongly enforced by the Communications of the Minister of France.⁴

Seventhly—because, such a Tone in negotiating is not suited to the Circumstances of Republics rising under so many Difficulties to take their Station among established Sovereign powers, the most and greatest of which are Monarchies, and may cause in them

prejudices against the Dispositions and Views of these States extremely injurious to their Characters and Wellfare.

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson.

¹ This day Congress debated, amended, and adopted the fourth of five propositions introduced by Elbridge Gerry on June 19 proposing that Congress pledge to the states that "without their unanimous consent, no treaty of commerce shall be entered into . . . with Great Britain" without an explicit stipulation guaranteeing access to all of the fisheries. See Henry Laurens' Notes of Debates, June 19, 1779; and *JCC*, 14:749–50, 850–51, 863–67. Concerned over the impact that a fishery guarantee would have on future peace negotiations, Dickinson apparently drafted this document to rally support for further amendments. Whether Dickinson actually circulated this "protest" among a number of delegates is not known, but the effort to amend Gerry's resolution attracted considerable support from among the southern delegates, especially Thomas Burke, William Henry Drayton, and Meriwether Smith. For a subsequent attempt to amend the resolution, see John Dickinson's Draft Motion, July 24, 1779.

² There are no names affixed to the draft.

³ In view of the positions Dickinson is known to have advocated during the various debates on the fisheries in July, it seems clear that he was here referring to the following amended resolution adopted on July 22: "That the faith of Congress be pledged to the several states, that without their unanimous consent, no treaty of commerce shall be entered into, or any trade or commerce whatever carried on with Great Britain, without an explicit stipulation on her part not to molest or disturb the inhabitants of the United States of America in taking fish on the banks of Newfoundland and other fisheries in the American seas any where, excepting within the distance of three leagues of the shores of the territories remaining to Great Britain at the close of the war, if a nearer distance cannot be obtained by negotiation." *JCC*, 14:866–67.

⁴ For Congress' July 12 conference with Gérard, see James Lovell to Samuel Adams, July 10, 1779, note 5.

John Dickinson's Speech

Mr. President,

July 22d. 1779¹

Having very deliberately considered the Treaties between his most Christian Majesty and The United States—the Memorials of the Minister Plenipotentiary of France of February 9th 1779, March 17th, March 30th, May 3d, May 8th, May 9th, May 22d, & May 27th, following, his Communications in Conference on the 15th of February aforesaid, and on the 12th of this Month—the little Progress yet made by Congress towards a Completion of the Business therein mentioned—the Importance of that Business—the Danger of Delay—the situation of foreign and domestic Affairs—the Conduct of other Nations in vindicating their Independance and Rights—the Distance of these States from Europe—and the Manner in which the Deliberations of Congress on the said Memorials and Communications have been conducted, I esteem it my indispensable Duty to propose another Mode of proceeding thereon for facilitating and accelerating those Deliberations, a Mode, in my humble Opinion, by its Nature more adapted to the Exigencies of Negotiation, and in

which, at the same Time, every proposition, Question or Difficulty that can be thought of by Us, may in a regular Disposition receive its fit Arrangement, due Consideration, and proper Qualifications.

These purposes, it is apprehended, will be most speedily and effectually attained by throwing our Resolutions into the Form of a sett of Instructions to the Minister plenipotentiary who shall be appointed on our part to carry on the Negotiation in Conjunction with the Minister or Ministers of our Ally, under the Mediation of his most Catholic Majesty.

I have assayed a Form of this kind, in which I have endeavoured to trace the Turns that may take place in the Course of the Negotiation. I have not the Presumption to think it compleat: but as it will be sufficient to convey to Congress an Idea of the Plan, their Wisdom, if it is approv'd, can easily supply its Deficiencies. On the other Hand, it is very likely, that, to guard against Embarrassments that may arise from illimitable Contingencies, some Stages are mark'd at which the Negotiation may never arrive, and some Questions and Difficulties stated, that may not be therein mentioned. For these, it is hoped, that the Remoteness of the place intended for treating, and the pointed Expressions of the Minister of France on the subject, will be allowed as Excuses. If they occur, your Minister will be instructed on them. If they do not occur; they will be at worst, but useless.

Sir, It will appear from these papers, which I propose to deliver into your Hands,² that I would give my Vote for a Pacification, if it cannot possibly be more advantageously obtained, upon Terms that with some Members of this House will be inadmissible. In so momentous an Affair, I should tremble to think of trusting to my own Judgement, in Contradiction to that of persons whose Characters give so much Weight to their sentiments. I do not trust to it. I find the Ideas I venture to express, approved by Gentlemen of distinguished Abilities and Integrity; and I have the Satisfaction of knowing that my Principles of Conduct in this Business can be justified with a most remarkable application by the Examples of those great Statesmen and excellent Patriots whose Prudence and Virtue unbiass'd by plausible pretensions and undaunted by threatening Opposition, established the Freedom, Sovereignty and Independance of the united provinces of the Low Countries.

Yet—these Authorities great as they are, have not detach'd Me so far from a deferential Regard for the Opinion of those who differ from Me, as perhaps future Events may prove I ought to have been, if I could more effectually have resisted the Influencies of a Regard so extensive.

But—a just Attention to what concerns Myself, renders it necessary not to confine my Observations to the following Form of Instructions, because—it contains not all the Measures in which I will most heartily join, for assuring as far as We can to these States the important

Fisheries of North America. On this Head, besides what is mentioned in the following Form, I cheerfully assent to these Resolutions.

1st. That no Article shall be inserted in the expected Treaty, by which the Right of all these States or the Exercise thereof by any of these States to take Fish on the Banks of Newfoundland and on other the fishing Banks and in the Seas of North America, excepting as in the following Resolution is excepted, shall be given up or in any Manner impair'd.

2ly. That the Faith of the United States be mutually pledged by and to each other, that, the treaties of Paris in 1778 being all ways preserv'd inviolate, in Case Great Britain shall after the Conclusion of the War disturb the Inhabitants of any of these States in the Exercise of the said Fisheries any where excepting within three Leagues of the Coasts of the Territories that shall remain to Great Britain at the said Conclusion, or such Distance as shall be established in the expected Treaty & approv'd by these States, the other States shall, if required by the State so disturbed, regard such Disturbance as an Act of open Hostility against all the States, and shall make Common Cause in support, Maintenance and Defence of their Right to the said Fisheries.

It has not been thought necessary to lengthen the following Form by dilating on those Articles that are usual in Treaties; or such as are of less Importance; nor on the Determinations to be taken concerning Spain, upon the Representations of the Minister of France respecting a Connection to be made with that Kingdom, because, it is apprehended, that these Subjects of Deliberation will not occasion much Delay.

Sir, I am perfectly aware of the Reproaches I shall incur, and of the Hazards I shall run, by committing Myself in a Manner so contradictory as I now do to the Sense of great Numbers of my Countrymen more ardent tho not more zealous than Myself in our righteous Cause.

An Attack upon Me is already begun, in consequence of what past some days ago relative to these points. But—I should be unworthy of a Seat in Our Honorable Assembly, if Reproaches and Hazards of any kind could divert or deterr Me from executing the high Office conferr'd upon Me by my confiding Constituents, in that Manner, which according to the best Judgement I can frame on a View of all Circumstances and the most mature Deliberation of which I am capable, I think most likely to promote their Wellfare.

Two Rules I have laid down for Myself throughout this Contest, to which I have constantly adhered, and still design to adhere. First—on all occasions where I am call'd upon as a Trustee for my Countrymen to deliberate on Questions important to their Happiness, disdaining all personel advantages to be deriv'd from a Suppression of my real Sentiments, and defying all Dangers to be risqued by a Declaration

of them, openly to avow them; and secondly—after thus discharging this Duty, whenever the public Resolutions are taken, to regard them the opposite to my Opinion as sacred because they lead to public Measures in which the Common Weal must be interested, and to join in supporting them as earnestly as if my Voice had been given for them.

While I believe in my Conscience that I am faithfully serving my Country, I shall deplore but not dread her Resentment if I happen to offend her. She is my Parent—as a dutiful Son, I shall kiss her correcting Rod. Let her strike—but let her also hear Me. If the present Day is too warm for Me to be calmly judg'd, I can credit my Country for Justice some Years hence. 'Tis true, I may be mistaken—but sufficient it will be for my Vindication, if it be decided, that my Conduct is influenc'd by what I think right—for then it must be influenc'd by Honesty and Affection.

Whatever may be the Merit or Demerit of my Behaviour on this great Occasion, I beg, that these papers signed by Me, may be receiv'd by Congress, and kept among their Records, that I may not be injured by Misapprehensions, nor have it in my power to elude a Charge, but, may stand or fall by Evidence under my own Hand voluntarily delivered by Me at the Time of the Transaction.

John Dickinson

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson. A copy of this document, in the hand of Henry Laurens' secretary, James Custer, is in the Laurens Papers, ScHi. This is the text printed by Burnett, *Letters*, 4:335–37.

¹ For the concerns that led Dickinson to deliver this speech this day, his second effort in five days to break the near impasse that had developed in Congress over the ultimata to be formulated preliminary to the negotiation of a peace treaty, see Dickinson's notes for a Speech in Congress, July 17, 1779; and *JCC*, 14:744, 850–51, 863–67. Although he had been appointed on June 17 to a committee instructed to draft a *commission* for the minister plenipotentiary to be appointed by Congress, he had on July 17 attempted to shift the delegates' focus to the *instructions* that would be sent to guide the American negotiator, and he returned to this theme at this time during debate over the fisheries issue, prefatory to delivering to President Jay copies of both this and his preceding speech.

² By "these papers" Dickinson means this speech and his draft of proposed instructions for a minister to be appointed to negotiate a peace treaty, Sparks Manuscripts, MH-H, for which see the document note to Dickinson's Notes for a Speech in Congress, July 17, 1779. As neither is in PCC, it is clear that Dickinson's plea was disregarded.

John Dickinson to Caesar Rodney

Sir,

Philadelphia, July 22d. 1779

I send You by Mr. Wm. Brown the Journals of Congress from the 1st of February to the End of March, & from the 21st of June to the 26th—20 sets of each, which, with those I have already sent, form

compleat Journals of Congress from 1774 to this Day, excepting the third Volume not yet published, and the Journals from the 26th of last Month also not published. When these come out, I will send You twenty setts of each, with which I will beg Leave to trouble You for the Use of the Legislative Council & Assembly.¹

I am, Sir, your very hble Servt.

John Dickinson

RC (DeHi: Rodney Papers).

¹ This day Dickinson also joined Thomas McKean in sending another letter to Rodney, a portion of which reads: "We are directed by Congress [see *JCC*, 14:861] to request that you will be pleased to appoint a sufficient guard to take into their custody sixt[y] four prisoners, taken on board the British sloop of war Harlem by Captain Barry &c, and landed at Sinepuxen on the 18th instant by Captain John Young, and order them to be brought up here as soon as possible at the most moderate expence practicable." Samuel T. Freeman & Co. Catalog, *The Frederick S. Peck Collection of American Historical Autographs* (February 17, 1947), p. 86, item 157.

John Dickinson to Thomas Rodney

Dear Sir,

Philadelphia July 22d, 1779

I have received your Favor of the 17th, for which and the Inclosure I am much oblig'd, as I shall allways be for a Communication of your sentiments on public Affairs.

I so much agreed with you concerning the Expediency of acceding to the Confederation tho as You justly observe in several particulars exceptionable, that I used what little Influence I had to forward its Ratification by our State advising, at the same time a strong Declaration upon the parts objected to, addrest to Congress, and pointedly expressing our Expectation of a Revision & Alteration thereof at a more convenient Season.

Your Reflections on our Loan, & on some other proceedings, I fear, are too well founded. Our Difficulties are prodigious— We see the wisdom of your proposal to stop the presses—We perceive Taxation to be of as much Importance as You mention— We are desirous of borrowing on the lowest Terms. But—while We have so many thousands to supply with Necessaries and while the Demands upon Us for the Articles We must purchase, are daily & hourly rising upon Us with such a boundless Stretch—to what purpose are Loans & Taxes.

I have esteemed it my Duty since I have been in Congress, to keep my Eyes constantly fix'd on the preventing further Emissions—& several Steps have been taken towards that point, that are known but by very few to lead towards it—some others are now under Consideration—& I am impatiently waiting for the Moment, when a prospect of carrying on Affairs without further Emissions, and a likelihood of succeeding in the Attempt, will permit Me to move for stopping the Presses.

Mrs. Dickinson and Sally with myself desire to be very affectionately remembered to your Family.

I am, Sir, your sincerely affectionate and very humble servant,
John Dickinson

RC (PHi: Gratz Collection).

Samuel Huntington to Jeremiah Wadsworth

Sir

Philadelphia 22d July 1779

I am favoured with yours of the 15th Instt—am Sensible you Labour under many difficulties in the present Situation, but hope for the best; Circumstances will admit of.

The design of the late Resolution for borrowing twenty Million was to put the lender in Such Circumstances as to Secure the real value of his money both principal & Interest in any given circumstances in future, it is founded in this principal that the value of the bills will not depreciate if the quantity in circulation is not increased, & the lender is at Liberty to keep his money in the fund & not receive the principal whenever the quantity in circulation is greater than it was at the time he put the money in & his Annual Interest is to Increase in the nominal Sum in proportion as the Sum in Circulation is Increased Since the time he put his money into loan, if Such case should happen.

The plan of this Resolution is So much approved that in One day in this City half a Million was Subscribed.

Congress are determind to Stop Emitting which they may certainly do if the people at large will chearfully Contribute by loans & Taxes according to their Ability. I heartily wish that Congress were removd from this City for various reasons, have no Intelligence here or from the Southerd, more than the papers contain.

Am with due regards, your humble Servt,

Saml Huntington

RC (CtHi: Wadsworth Papers).

Gouverneur Morris to Robert R. Livingston

Phila. 22 July 1779

The enclosed Paper will shew you that the Fisheries are a daily Subject of Contemplation and your own good Sense will shew how much Weakness there is in the Argument for insisting on an Acknowledgement of a common Right to them in America. It is peculiarly unfortunate for the People and for Congress that Subjects of

this Sort should be thus publickly agitated. Without divulging the Secrets of Congress it is not practicable to place the Subject in its proper Light and yet unless that is done the People will probably be deluded and if it is done Congress must become contemptible abroad and consequently insignificant at Home. Those who have contended for insisting on this Acknowledgement from Great Britain as an Ultimatum begin to perceive that it is extreme bad Policy and the certain way of loosing the Thing when if proper Measures be taken it must certainly be gain'd. I have therefore the Pleasure to be convinc'd that Matters will be adjusted as they ought and America will once more have Cause to thank those firm and moderate Councils which neither dejected by adverse nor inflated by [. . . circum]stances hath hitherto rendered her successful and [. . .] be no small Consolation that in a late Hour we [. . .] Ardor prava Jubentium non Vultus instantis, Tyranni mente quatit solida."¹

Present me affectionately to the gentle Spirits around you, and believe me with firm Attachment, yours,
Gouv Morris

RC (NHi: Livingston Papers).

¹ Morris is quoting Horace. The stanza quoted, including at least four and perhaps six words not cited in this mutilated passage, reads: "Justum et tenacem propositi virum non civium ardor prava jubentium, non vultus instantis tyranni mente quatit solida." The passage has been translated in one edition: "The man tenacious of his purpose in a righteous cause is not shaken from his firm resolve by the frenzy of his fellow citizens bidding what is wrong, not by the fact of threatening tyrant, [not. . .]." Horace *Odes* 3.2–4.

John Dickinson's Notes

[ante July 23, 1779]¹

Plan for putting a Stop to Emissions

1. Pass the Resolutions in the Report² of the 14th of June for regulating Prices &c.³
2. Pass some of the Resolutions in the Report of the Q. M. G.'s & C. G.'s Departments for putting them on a more œconomical footing.⁴
3. Pass the Resolution for vesting further powers in the Executive of the sevl. States for superintending those Departments.⁵
4. Order a large purchase of provisions, Forage &c immediately.
5. Order a Conference with the General, Q. M. G. & C. G. on these Heads informing them of the Reasons &c.
6. Form an exact Accot. of all Monies emitted & borrowed & now in Circulation—with the First payable in Sterling or Continentals.
7. Form an Estimate of Expençe for a Year.
8. Address the Legislative & Executive powers of the States

informing of all plans, the Reasons &c Demand their Cooperation.

9. Address our Ally & Spain by Mr. Gerard, that in Case of absolute Necessity We may have Leave to draw for 3 or 4 M[illions] of Dollars.
10. Take off the Embargo.⁶

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson.

¹ Dickinson apparently drafted this "plan" in conjunction with his work on two committees that had been appointed on May 28 to propose "retrenchments and reformatiions" in the various boards and departments and to improve "the expenditure of public money," especially in the commissary, quartermaster, and medical departments. *JCC*, 14:661–62. That Dickinson was fully engaged in analyzing the activities of the staff departments and pursuing measures for their reform is evident from the notes and proposals that remained among his personal papers, which also include Dickinson's Committee Notes and Committee of Congress to the Continental Boards and Departments, June 7; Dickinson's Notes, June 11; Dickinson to Thomas Burke and Samuel Huntington, June 16–July 21; and Dickinson's Proposed Resolutions, ante July 9, 1779. Many of the considerations contained in these papers were embodied in the lengthy "Report of the Committee for regulating Departments, &c." submitted on July 23. *JCC*, 14:872–80.

² Dickinson is referring to the report of the second committee to which he had been appointed on May 28 and which had been charged with developing a plan for putting the departments "on a different footing with respect to the expenditure of public money," for which see Dickinson's Notes, June 11, 1779, note.

³ Dickinson also drafted another "Plan for putting a Stop to Emissions," but consisting of four rather than the ten numbered items printed here. The first item is nearly identical in the two plans; items 2–4 in the second read as follows:

"2. Reduce the D. Q. M. G. to one in each State—the Number of inferior officers & of posts for issues—the Number of inferior Officers in C. G. of P. & C. G. of I. Take from Q. M. G.'s Department the purchasing Horses & Waggons & rest that power in Board of War & persons to be appointed by them.

"3. Draw Bills for 1 Million of Dollars payable in 90 Days after Sight & appoint a person to negotiate a Loan to that amount in France, Holland, Switzerland &c.

"4. Issue Millions of Dollars—and appoint the Day of next for the Time when a Stop should be put to Emissions." Logan-Dickinson Papers, PHi.

⁴ Apparently the resolutions debated by Congress on July 9, of which the first was adopted the same day. *JCC*, 14:812–15.

⁵ Since the full texts of the reports of the two committees appointed May 28 have apparently not survived, it is not clear to which proposed resolution Dickinson may be referring.

⁶ On the verso of this document, Dickinson penned the two following comments: "That a Committee be appointed to consider & report what Measures may be proper to be taken by Congress previous to stopping any further Emissions of Bills of Credit." "Enquire concerning the Man that came from Canada to consult Mr. Gerard."

John Fell's Diary

Friday 23d [July 1779].

Coml Committee. Congress. Letter from the Prisoners at Long Island, Referrd to a Committee of 3. Sundry Reports from the Board,

the Bd of War and Treasury, New Regulation in the Hide department &c.

P M went to the Marine Committee Secretary not there.

MS (DLC).

Samuel Holten's Diary

[July 23–24, 1779]

23. Friday. I dined with the President. We have no new intelligence.

24. Saturday. Congress sit late, I took a walk with Colo. Peabody.

MS (MDaAr).

Henry Laurens to John Laurens

My Dear friend.

Philadelphia 23d July 1779.

I had the pleasure of writing to you the 17th Inst by Messenger Graham, we have heard nothing since from Charles Town. I feel a little anxiety to know whether & when you mean to return to Your General & lest we should miss each other on the Road, an accident, which, if it should happen, would mortify us exceedingly. But I have not marked a day for my departure, I shall quit this great House the 12th August because I cannot afford the Rent, & go for three or four Weeks into cheaper Quarters, my Landlady who is as keen an Abigail as any I know, has outwitted herself, she wanted to raise the Rent upon me & by a mis-calculation I suppose, has let it to my Neighbor Mitchel for 6 or 7 hundred Pounds per Annum less than I paid—& he has made a firm contract with a penalty annexed.

Your freind Doctor McHenry is in Town on his return from escorting Mrs Washington to Virginia, he will dine with me to day & we'll drink your health. I have heard nothing from Head Quarters for a long time but I purpose to write to your General by the Doctor, I would give somewhat considerable for two hours conversation with him on certain very Interesting & important points. I believe I shall pay him a Visit before I leave this Country.

Colo. Gervais, Capt McQueen & Mr Wells will communicate to you the Contents of our latest News Papers & other scraps of intelligence which I have transmitted.

My Dear Son I pray God to bless & protect you.

Henry Laurens

[P. S.] Colonel Daniel Morgan is in Town & has applied to Congress to accept his Commission, he complains of General Wayne's appoint-

ment to Command the Corps which should have been continued under him. He is a good Officer & we will not part with him, if persuasion can prevail.

I am charged by a great number of your friends to present their Compliments, General Gates in a very particular manner.

RC (ScHi: Laurens Papers, no. 34).

Committee of Commerce to Joseph Reed

Sir, Commercial Committee, 24th July, 1779.

The Committee appointed by Congress to superintend the Commissary of Provisions Department informed this Committee that there is at present on hand in the Public Magazines, Pork, Beef and Flour in greater quantities than the armies can consume before it will become perishable. It is therefore recommended by the Commissarial Committee, with the concurrence of the Minister of France, that the Commercial Committee immediately issue their order for shipping to the Island of St. Domingo two thousand Barrels of Pork, one thousand Barrels of Beef, and one thousand Barrels of Flour, for the supplying His most Christian Majesty's forces on that Island, the Minister having promised that the same shall be paid for at the Market Prices there.

We therefore request your Excellency's permission for shipping the above mentioned quantity for the purposes aforesaid.¹

We are respectfully, your Excellency's most Obedient & Humble Servants,
Fras. Lewis

MS not found; reprinted from *Pa. Archives*, 1st ser., 7:579–80.

¹ Before Pennsylvania complied with this request, the council reported that Pennsylvania law prevented the flour for the use of the French army rather than the French fleet. This President Reed explained to the committee in a letter of July 28. "The Embargo laid in this state is by Act of Assembly, and is therefore not so much in our controul as if it had been by Proclamation. We have examined the act with due attention, and find there is a proviso admitting an Exportation for 'the use of the Fleet of His most Christian Majesty, and of the Armies of the United States.' Your application therefore setting forth that it is for the *armies* of His most Christian Majesty, and to be exported to an Island other than that where his fleet is assembled, has occasioned some difficulty." *Pa. Archives*, 1st ser. 7:588.

In order to meet the council's objection, therefore, the committee sent a second letter to Reed on July 31 in which the key phrases were changed to read: "It is recommended by the Commissarial Committee with the concurrence of the Minister of France, that the Commercial Committee immediately issue their order for shipping for the use of the Fleets of His Most Christian Majesty in the West Indies, 2000 Barrels of Pork, 1000 Barrels Beef, and 1000 Barrels of Flour, the Minister having promised that the same shall be paid for at the Market price there." This letter, signed by John Fell and James Searle in addition to Lewis, is in *ibid.*, p. 605.

John Dickinson's Draft Resolves

[July 24? 1779]¹

Resolved, That if Great Britain shall not disturb the Inhabitants of these States *in taking Fish on the Banks & the said places mentioned in the*² next preceding Resolution, these States may carry on Commerce with Great Britain.

Resolved, That if his most Christian Majesty shall enter into the Garranty mentioned in the preceding Resolution, & the Insertion of the Stipulation mentioned in the next preceding Resolution cannot be obtained, the States will agree to a Treaty of Commerce with G. B. on just & reasonable Terms.

Resolved, that if the *taking Fish by the Inhabitants of*³ *these States on the Banks & in the places mentioned in the next foregoing Resolution* shall be effectually assured to these States by Great Britain tho not by the express Stipulation therein mentioned, these States will agree to a Treaty of Commerce with that Kingdom upon just and reasonable Terms.⁴

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson.

¹ These three "resolves" are successive drafts of a motion that Dickinson offered this day to amend the fisheries resolution adopted by Congress on July 22, which was an amended version of the fourth of the propositions originally submitted by Elbridge Gerry on June 19. See *JCC*, 14:884–86; and Dickinson's Draft Petition, July 22, 1779, note 3.

² At this point in the MS Dickinson interlined the following substitute passage for the words underlined: "in the free exercise of the Fisheries intended to be obtained or secured by the foregoing Resolution."

³ At this point in the MS Dickinson wrote above the line the following substitute passage for the words underlined: "Fisheries intended to be obtained or secured by."

⁴ In a separate passage below this resolve, Dickinson penned the following note: "By 12th article of Treaty of Utrecht 'the subjects of the most C[hristian] K[ing] shall hereafter be excluded from all kinds of fishing in the said Seas, Bays & other places, on the Coasts of Nova Scotia, that is to say, on those which lie towards the East, within 30 Leagues, beginning from the Island commonly called Sable, inclusively, & thence stretching along towards the Southwest.'"

From this passage it is apparent that one of Dickinson's purposes in drafting this motion was to amend Gerry's resolution in a manner that would remove impediments to a treaty of commerce. Thus he sought to eliminate "the express stipulation therein mentioned," which stated that Great Britain would not deny the inhabitants of the United States access to any of the fisheries "excepting within the distance of three leagues of the shores of the territories remaining to Great Britain at the close of the war if a nearer distance cannot be obtained by negotiation." *JCC*, 14:866–67. Aware that Great Britain had denied France fishing rights within 30 miles of the Nova Scotian coasts in the negotiations of 1712–13 because the French had included specific provisions on the fisheries in their ultimata, Dickinson was apparently satisfied that as long as fishing rights were "effectually assured to these States by Great Britain," this phrase would constitute a sufficient guarantee to permit the negotiation of a treaty of commerce. For information on fishery negotiations in the Treaty of Utrecht, see *European Treaties Bearing on the History of the United States and Its Dependencies*, ed. by Frances G. Davenport, 4 vols. (Washington, D.C.: Carnegie Institution of Washington, 1917–37), 3:196–203.

John Fell's Diary

Saturday July 24th [1779]

Commercial Committee. Congress. Sundry Letters & Reports. Genl Wilkinson was Balloted for Clothier General, Order of the day on foreignn affairs, after long debate as usual, and an amendmant offerd Per Mr Dickinson the Previous Question was Put Per Mr McKean and carried.

MS (DLC).

John Jay to James Wilkinson

Sir, Philadelphia 24th July 1779.

I have the Pleasure of transmitting the enclosed Extract from the Minutes of Congress from which You will perceive that You was this day appointed Cloathier General.

The Importance & State of this Department will require your immediate Attention, and it is the wish of Congress that You enter on the execution of this Office without A delay.¹

I have the Honor to be Sir, Your most Obedient Servant.

LB (DNA: PCC, item 14).

¹ For Colonel Wilkinson's appointment as clothier general this day and immediate acceptance of the post, see *JCC*, 14:853–54, 883–84; *PCC*, item 78, 24:57–60; and John Jay to Peter Wikoff, July 6, 1779.

Gouverneur Morris to Thomas Paine

[July 24? 1779]

For the *PENNSYLVANIA EVENING POST*.

The galled horse winces.

Thomas, you seem to be in a passion.¹ Has Cato ruffled the smooth surface of your temper? Who could suppose that you would be wounded by such weapons? But truth is powerful.

You charge Cato with being a lying incendiary scoundrel. Cato laughs at your rage. Why don't you answer the queries? Being abusive won't serve your turn; for the public expect answers; aye, and satisfactory answers too.

Cato asked you questions, and he asked questions also of one whose abilities and perseverance have acquired the respect of his enemies, and the confidence of his friends. That gentleman had a right to expect that he should not have been coupled in the same paper with you; for though this may have done you honor, it could do him none. He would not have been questioned, if his zeal had not

been excited by misrepresentations, and if that ill directed zeal had not been misrepresented. Cato is not infallible; but he is not a fool, nor does he speak from prejudice or malevolence. That gentleman has answered the queries by his silence, he was probed, but he did not flinch. Had you been untouched, you also would have been silent, or if you did speak, you would have answered not by calumny but by argument.

You have attacked many *innocent men*, and they have given candid answers to your foul charges; or treated you and your charges with equal contempt. These are marks of innocence. Why could you not profit by their example? But truth is powerful. You affect to believe that nothing in Cato's performance will be credited to your injury, but you shew all the horrors of your own feelings, and disburthen your tortured spirit in the reproachful exclamations of a convict.

You say, "I can but consider myself, and I know I am considered both by friends and enemies, as a principal means in rescuing this country from *imposition and a dangerous species of monopolizing*."² That you yourself believe this is possible, because it is possible that you have a greater defect of understanding than of integrity. What your friends believe, it is needless to enquire; for how far you may have duped them, or how far others may have duped you, is alike indifferent. As to enemies, you may soon convince yourself that you have as few as any man living; for upon the closest scrutiny, you will hardly find one quality, either of your heart or your understanding, which, exerted to the utmost would raise a higher emotion than contempt.

You cannot divert the public attention by bringing again before them the threadbare unsupported story of congressional monopolizers. It is as much beneath the public candor to credit these idle tales, as it is beneath the dignity of the public servants to confute them.

We know whence they took their origin, and how you gleaned them up, *the precious crumbs which fell from the rich man's table*. We know the industry used to collect evidence in support of them, and the futile ridiculous ground on which those persons stand, who make such charges. We know too the source of the Virginia law, and how the plan was laid for it in Philadelphia, to be revenged on one who would not sacrifice his honor and conscience to support the family compact. You indeed may not be acquainted with these things, for your employers know you too well to trust you. Thus you stand forth a happy instance to shew, how a man may avoid a full participation in sin by being a notorious sinner.

Do you think it possible for any one who knows you to read without laughter the last paragraph of your manifesto.³ Shall I transcribe it? Yes—and you will hardly charge me with slandering you when I say it is yours; for you have signed your name to it. And you will hardly charge me with slandering you when I say (what you yourself

have said) that you are author of all the writings under the signature of Common Sense. And the world will not charge me with slandering you when I say, that writings more abusive than those, and a character less fair than that of their author, are not to be found in the circle of existence.

Yes, Thomas, it is your sweet self which says, "if men under the hope of being concealed by a printer are to publish what they dare not own, the public will for ever be held in confusion. British emissaries, British prisoners, and disaffected refugees *will embarrass every measure, and endeavor to defame every character, however fair, that stands in their way.*" From thy own mouth will I condemn thee. Hast thou not endeavored to embarrass every measure, and to defame every character that stood in the way of the enemy? In the way of those who labored in the service of the enemy? In the way of conciliation with Britain? Base conciliation on the odious terms of submission, and through the vile channel of low emissaries! Spies! Spies! highly recommended indeed and patronized by those whom this country had unwarily trusted. Have not you embarrassed every measure, and defamed every character that stood in the way of a junto, who have endeavored to subject all things to themselves, all power civil, military, and marine? Who have endeavored to remove every person that would not mingle in their factious views; and to place none in office but their friends, relatives and dependents, against whose malevolence the unsullied fame of the great American patriot was but a slender barrier; whose victim was a W*****—and whose idol a L**?⁴ Have you not, against the stubborn conviction of your own soul, supported, defended, and extolled this factious junto? Fie on't! Oh, fie!

But you would insinuate that Cato is some British emissary; because he defames the character *however fair* of the great, the glorious, magnificent, magnanimous, most monstrous Tom. Had Cato been a British emissary, you would not have needed to ask his name. He would early have been announced to you. Aye and full early would you have found that Cato was a *very civil man*. As *civil* a man perhaps as doctor Berkenhout.⁵ You *upon your floor of office* was master of every *secret*, you are not to learn therefore that this doctor Berkenhout, however, protected and supported, and however his errand was excused upon the flimsy pretence of philosophical researches; and however *civil* he may have been *to you*, was nevertheless a *spy from Britain*; or if you like the term better, a *British emissary*. Tell us, since you have so excellent a knack of telling *the truth*, while you keep *the secret*, a thing not very difficult for those characters, who are not believed, even when they speak the truth. Tell us, I say, *the truth* and keep *the secret* of what passed between doctor Berkenhout and your friends, not yourself, for no man is bound to become a self accuser. Tell *the truth* and keep *the secret* of what passed between mr. Temple and your friends. And since you know so well, and have so often

entertained the world with the supposed debates of a certain assembly, tell *the truth*, but carefully, yea most carefully *conceal the secret*, how and by whom their emissaries were defended within doors. These *are secrets* which must soon be known, these are *truths* which you tremble at.

And is it for you to ask the name of a publisher? Go, wretch, hide thy pitiful head in oblivion. Crawl not from thy den but with boding bats and the night owl; and when thou presents thyself unto the gazing moon, shew her a spectacle of horror. To the whips, the stings, the scorpions of guilt, I leave thee. To despair, to shame, to the anguish of contempt, I leave thee. May the balm of repentance sooth thy agonizing soul. Mayest thou soon be forgiven, as thou must soon be forgotten; and when disease and poverty shall overtake thee, and when thou in vain solicitest from thy present coadjutors the poor pittance of misery, mayest thou receive it from their hands whom *thou* has injured.

CATO

MS not found; reprinted from the *Pennsylvania Evening Post*, July 24, 1779.

¹ Morris was responding to a letter published by Paine in the July 16 issue of the *Pennsylvania Evening Post*, which Paine had written in answer to a series of rhetorical questions posed by Morris (over the pseudonym "Cato") in a letter printed in the *Post* on July 9. See Gouverneur Morris to Benjamin Towne, July 9, 1779.

"If men," Paine had challenged in reply, "under the hope of being concealed by a printer, are to publish what they dare not own, the public will for ever be held in confusion. British emissaries, British prisoners, and disaffected refugees, will embarrass every measure, and endeavor to defame every character, however fair, that stands in their way; and for this reason, were it for no other, I conceive that the name of no writer, in the present state of things, ought to be concealed when demanded." Paine, *Writings* (Foner), 2:169–71.

Although the rhetoric of the participants sometimes obscures the issues at stake in these public exchanges, it is useful to recall that Morris had originally taken up pen against Paine to deny the accusation that he was the author of the "Americanus" essays that had recently appeared in the Philadelphia press attacking American claims to the northern fisheries. For another public attack on Paine during this period, by North Carolina delegate Thomas Burke writing in general defense of Silas Deane and his congressional friends, see also Thomas Burke's Epistle, July 16, 1779.

² And Paine had continued: "for what can be *more* dangerous to her commerce and her honor that members of congress forming trading companies, in partnership with their ambassadors. The state of Virginia, on discovering that three of their delegates were partners in this company, not only appointed others in their room, but have passed a law to prevent such practices in future; and I hope every state will, in some line or other, do the same."

For further information on Virginia's action, see Meriwether Smith to Thomas Jefferson, June 25 and July 6, 1779, note 1.

³ The paragraph quoted in note one above.

⁴ That is, a Washington and a Lee.

⁵ For information on Dr. John Berkenhout's relations with Arthur and Richard Henry Lee, see these *Letters*, 10:528.

Marine Committee to William Aylett

Sir July 25th 1779

We have received your favour of the 30th ultimo, and now desire that the Bread you provided for the use of the Frigates (or such part thereof as may not be wanted for Public use) be disposed of to the best advantage. You will transmit to this Committee An Account of the Sales as soon as compleated. And We are, Sir, Your humble Servants.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

John Fell's Diary

Monday July 26th [1779].

Commercial Committee. Congress. This day the Particulars of the glorious affair of the taking the fort & Garrison at Stoney Point Per Genl Wayne with his Letter & General Washingtons on the Occasion, with the Colours of the 17th Regt, were brought to Congress. Sunday dispatches were Read. (NB Mr Houston not at Congress)

MS (DLC).

John Jay to Thomas Jefferson

Sir, Philadelphia 26th July 1779.

I have the honor of transmitting to your Excellency sundry papers respecting the capture of a Vessel of Portugal by a Captain Cunningham of the Privateer Phoenix the Property of Carter Braxton Esqr. & others.

Among these papers is a copy of an Act of Congress of the 21st Inst, for the purpose of doing Justice to the Parties injured, & punishing the Aggressors, to both which Objects it calls your Excellency's Attention.¹

I have the honor to be, With great Respect & Esteem, Your Excellency's Most obedt. Servant.

LB (DNA: PCC, item 14).

¹ Having found that the Portuguese snow *Our Lady of Mount Carmel and St. Anthony*, Capt. Juan Garcia Duarte, had been captured illegally by the privateer *Phoenix*, Capt. Joseph Cunningham, Congress resolved that the owners of the vessel were entitled to relief and recommended to the executive powers in Massachusetts, Pennsylvania, and Virginia that they take "effectual measures . . . for apprehending and bringing to condign punishment" Captain Cunningham and the owners of the *Phoenix*—Carter Braxton of Virginia and partners unnamed. *JCC*, 14:856–59. For the background of this case, see Committee of Congress to Robert Morris, July 7, 1779, note.

Thomas McKean to Sarah McKean

Dear Sally,

Philadelphia. July 26th. 1779.

I heard by Mr. Van Dike, who came here on Friday night that you were well. Letty & Sammy Sterett are again recovered by the help of the Bark. No sales of my lands since my last, but several applications have been made. There is to be a great Town-Meeting today, in which I shall not interfere I wish good may ensue from it, but I have some apprehensions of the contrary. Markets rather rise than fall, and so do foreign articles, except sugar, which is owing to the great quantity.

You will herewith receive the four last News-papers, which will communicate every thing I can tell you of foreign & domestic matters; excepting that Samuel R. Fisher was convicted in the City Sessions on Friday last of misprision of treason, for writing the Letter to his brother Jabez in New-York, on account of which I sent a warrant for him some months ago, and committed him as he refused to give bail; his sentence is, to forfeit half his estate, & to remain in prison during the war.¹

As the sickly season is approaching, I would advise your returning next week,² if Sam is sufficiently recovered and you can get our effects to the Bridge. I cannot yet procure a Flatt to bring up my hay from Newcastle, nor Have I found a good house to be let.

Kiss Sally for me. The children present their duty to you. Love & compliments to all relatives & friends. Adieu. Your most affectionate,

Tho M:Kean³

RC (PHi: McKean Papers).

¹ Samuel Rowland Fisher, a Quaker merchant, was later released by the Supreme Executive Council in February 1781. For a summary of the case, see Gail S. Rowe, *Thomas McKean: The Shaping of an American Republicanism* (Boulder: Colorado Associated University Press, 1978), pp. 122–23.

² In a letter of July 30, McKean explained to Sarah the arrangements he had made for her return to Philadelphia and expressed his concern that she had “stayed rather too long in the country.” McKean Papers, PHi.

³ This day McKean also responded to a July 5 letter from Robert Levers, a court clerk in Northampton County, Pa., concerning property retention in a case of theft. McKean went on to add that intelligence from South Carolina reported in his previous letter “proved untrue, but the Enemy have had the worst of it in that quarter, and I am not without hopes they will yet be subdued, or at least have cause to repent their expedition. I congratulate you on the success of General Wayne.” Members of the First Continental Congress, NNPM.

William Whipple to John Langdon

Dear Sir:

Philadelphia 26th July 1779

I am favored with yours of the 5th inst. and in conformity to your desire have mentioned the Several matters to the Commercial

Committee. As the Commercial business is entirely out of the line of the Navy Board they think it improper that Such accounts Should be settled by that Board, besides they are not authorised to give any Such instructions. They tell me they have long ago given directions that the prize goods which are not wanted for the public use Should be Sold—however as I have been very particular with them, I suppose they will write you fully on the Several Subjects.¹ As to the copper and Saddlery, I suppose you must have rec'd instructions from the Board of War respecting them before this time.

The last accounts from South Carolina were under 23d June—our prospects were then flattering—perhaps another week may produce agreeable intelligence from that quarter, but I hope there will be no *public rejoicing* till the intelligence comes from Such authority as will justify the fullest belief.

You say you have no objection to a “Republican Govt.,” but your proviso destroys every principle of Republicanism. I agree with you that virtue Should be encouraged, and vice restrained, but perhaps we should differ very widely as to the mode, as well as the objects—however as I have neither leisure nor inclination at present to enter into the merits of this Subject, in the epistolary way, I believe it will be as well to defer it to Some future day, when we may have a tête à tête conversation on this and many other matters—in the mean time be assured that I am with true republican zeal and the most perfect Sincerity, your very affectionate friend &c,

Wm. Whipple

P. S. The enclosed papers will give you the particulars of our Success in Hudson's river. General Wayne has gained immortal honors by this enterprise which is by far the most brilliant of any thing of the kind that has happened this war. Perhaps History will produce very few instances equal to it. I observe one of the accounts Say General Wayne had 1200 men, but I understand from better authority that his number did not rise to 1000.

Tr (DLC: Peter Force Collection).

¹ If the Committee of Commerce wrote to Langdon, the letter has not been found.

John Fell's Diary

Tuesday July 27 1779

Coml Committee. Congress. After sundry Letters and dispatches were read the Report for the Officers to be allow'd half Pay for Life and a further subsistance began to be debated, Mr. Houston my Colleague strongly oppos'd the motion.¹

MS (DLC).

¹ The journals for this day do not mention this renewal of the debate on the troublesome half-pay issue. On May 15, 1778, Congress had temporarily laid the matter to rest, when it resolved to grant Continental officers half pay for seven years after the termination of their service, but on May 24, 1779, Gouverneur Morris introduced a motion that half pay be granted for life, in keeping with Washington's recommendations. Morris' motion was soundly defeated. Yet, upon receiving a memorial in favor of the provision from officers of the 4th Regiment of Light Dragoons, Congress instructed the committee of conference on June 12 "to report speedily upon a further provision for the army of the United States." The committee submitted its recommendations on July 14 and Congress debated the entire report sporadically until August 17, when opponents of the measure succeeded in postponing the half-pay clause and voted instead in favor of a new resolution recommending that the states that had not already done so provide proper compensation for their troops "either by granting to their officers half pay for life, and proper rewards to their soldiers; or in such other manner as may appear most expedient to the legislatures." Congress further recommended that the states provide for the widows of officers and soldiers. On August 18 Congress formally voted against the clause on half pay for life, but granted increases in officers' salaries. Remaining portions of the report were referred to a committee of five, which apparently took no further action. See *JCC*, 14: 638-40, 720-21, 826, 908-9, 946-49, 952, 971, 973-79. For John Jay's report to the commander-in-chief, see Jay to Washington, August 20, 1779.

Joseph Hewes to Richard Caswell

Dear Sir

Philadelphia 27th July 1779

I Arived here on Tuesday last¹ and find my health rather injured than repaired by the long Journey in such Violent hot weather. I hope the change of Air and proper exercise will in some measure restore it, I have attended Congress some days and am not well pleased at the present mode of doing business, however as we lack much of Stopping the press & thereby put an end to further Emissions which I Ardently wish I hope something will be done to give our Sinking money a little more Credit, it might be done if we could agree on the Mode. I think we might have had Peace if our Eastern friends had not been too Sanguine in their demands respecting the Fishery but here I am not at liberty to put so much on paper as I could wish. I can only say the preparations necessary to obtain that desirable event go on too Slowly. We have no particular News but what is contained in the enclosed papers. The manner in which the Strong Fortress at Stony Point was taken from the enemy is considered as the highest perfection of Military decepline and reflects great honor on our Officers & Soldiers. Lieutenant Gibbons who commanded a forlorn hope of twenty Men had Seventeen of them killed & wounded and yet he entered the Fort among the foremost. Lieutenant Col Fluery a Young French Gentleman who has signalized himself on many Occasions was the first man who entered, and plucked the British Flag from the Walls. Major Stewart who led on one of the Advance parties in crossing a deep Morass covered with water lost his Boots & Stockings, he Nevertheless entered the Fort

bare footed & bare legged at almost the same instant with Col. Fluery. The small Garrison of a Captain & fifty men that so bravely defended the little Fort Fayette of three Guns which kept General Clintons whole Force at Bay near two days and made such havock Among their Ships & Men and had the honor of marching out with their Side Arms, this little Garrison belonged to the North Carolina Brigade. General Clinton is now up the North River with his whole Army having left a very small Garrison in New York, it is imagined he intends to make an Attack on our Fort at West Point, if so, I have no doubt it will be defended with great obstinacy and the contest will be Attended with great Slaughter.

I have the honor to be with great respect and Esteem Dear Sir, your Excellencys most obed. & very huml Serv,

Joseph Hewes

RC (Phi: Gratz Collection).

¹ Hewes, who had been elected to Congress February 4, 1779, arrived in Philadelphia on July 20 and took his seat on the 22d. See *N.C. State Records*, 13:688; and *JCC*, 14:860.

John Jay to François-Louis Teissèdre de Fleury

Sir, Philadelphia 27th July 1779.

I congratulate You on the pleasing Prospect, opened by your valor, of seeing the Laurels you have gained with so much Reputation in America, flourish & encrease in your native Soil. Your Conduct at Stoney-Point does you signal honor, and is justly entitled to the Approbation & marks of distinction conferred by the enclosed Act of Congress. It fully testifies the Sense they have of your Merit, & will I am persuaded be an additional Inducement to your attempting new Honors by Efforts equally glorious.¹

I have the honor to be Sir, With great Respect, Your most Obedient And Humble Servant.

J. J.²

LB (DNA: PCC, item 14).

¹ In a series of resolves of July 26, Congress singled out a number of Continental officers for their achievements and bravery during the capture of the recently established British post at Stony Point, overlooking the Hudson River, on the night of July 15–16. Lt. Col. Fleury, as the first officer who breached the enemy lines, was especially commended with the award of a silver medal, as was Maj. John Steward of the 2d Maryland Regiment. Fleury, who had originally received a Continental commission as captain of engineers, had previously been promoted to lieutenant colonel for gallantry for his conduct during the siege of Fort Mifflin in November 1777. See *JCC*, 14:890; Paul K. Walker, *Engineers of Independence: A Documentary History of the Army Engineers in the American Revolution, 1775–1783* (Washington: Government Printing Office, 1981), pp. 164–73; these *Letters*, 9:512n; and Jay to Anthony Wayne, this date.

² Jay also wrote similar letters this day to Maj. John Steward, who received a silver

medal, and to Lts. James Gibbons and George Knox of the 6th and 9th Pennsylvania Regiments, who were promoted to captain by brevet, for "braving danger and death in the cause of their country" during the capture of Stony Point. See *JCC*, 14:890; and PCC, item 14, fols. 156–57.

For similar acts of bravery, Congress also singled out Henry W. Archer, a volunteer aide to General Wayne, for "the brevet of captain," which Jay transmitted to him in a brief letter of August 3. See *JCC*, 14:890, 939, 15:1102; PCC, item 14, fol. 162, item 78, 1:291; and Washington, *Writings* (Fitzpatrick), 14:213.

The essentially honorary character of these brevet commissions is underscored by the fact that these officers did not receive "the pay and subsistence of captains" until Congress later so decreed in a separate resolve of September 24, which was transmitted in letters to Archer, Gibbons, and Knox from then Pres. Samuel Huntington dated September 28, 1779. See *JCC*, 15:1102; and PCC, item 14, fols. 193–94.

John Jay to George Washington

Sir

Philadelphia 27th July 1779

The Success of the Enterprize against stony Point was Splendid and important—It has added another Laurel to your wreath, and given a grateful Country a fresh opportunity of presenting you their Thanks for the Vigilance, wisdom and magnanimity, with which their arms have been conducted. I have now the Honor of conveying them expressed in the enclosed Act of Congress.¹ Prudence forbids me to indulge my Feelings or my Pen on this interesting occasion; lest in their warmth, too little Attention might be paid to the Delicacy blended with the Virtues they wish to celebrate. Permit me however most sincerely to assure you that I am, with the greatest Respect & Esteem, Your Excellencys obedient & h'ble Servt.

John Jay, Presidt

RC (DLC: Washington Papers).

¹ See the following entry, note.

John Jay to Anthony Wayne

Sir,

Philadelphia 27th July 1779.

Your late glorious atchievements have merited and now receive the Approbation & Thanks of your Country. They are contained in the enclosed Act of Congress which I have the honor to transmit.¹

This brilliant Action has added fresh lustre to our Arms, and will teach the Enemy to respect our Power, if not to imitate our Humanity. You have nobly reaped laurels in the cause of your Country, & in fields of danger and death. May these prove the earnest of more, and may victory ever bear your Standard, and Providence be your Shield.

I have the Honor to be Sir, With great Respect and Esteem, Your most Obedient And Humble Servant,

John Jay.

LB (DNA: PCC, item 14).

¹ On July 26 Congress voted a resolution of thanks to Washington and to Brig. Gen. Anthony Wayne for the capture of Stony Point on the Hudson River the night of July 15–16, 1779. In addition, medals were awarded to Wayne and to the two officers who personally led the assault through the enemy lines, and brevet promotions were conferred on three other officers under Wayne's command. Finally, the troops who participated in the attack were authorized to share in a division of the military stores captured during the operation, once their value had been ascertained, "in such manner and proportion as the Commander in Chief shall prescribe." See *JCC*, 14:887, 890–91; and Jay to Fleury, this date.

James Lovell to Samuel Adams

Dear Sir

July 27th [1779]

By way of Fire-Coals I again proceed on the Topic of A.L.¹—a Duplicate of whose Letter of Feb. 10th with the Vouchers has just come from Baltimore,² so that, being thus furnished, I shall be able to give you any particular Peice, at length, upon yr. finding Occasion for it, when I am more at leisure. I shall now only proceed upon the little Sketches which I extracted from large Memoranda which I this Morning sent to R.H.L.³

Look over Deane's Publication of Decr 5th and if you are not fully satisfied of the Rascality of all & singular the Parts thereof, let me know, where you want any damnatory Proof.

1st. A. L. blazed his Commission or rather Errand to Spain and *therefore* was not permitted to appear in Madrid.

It was not possible to conceal his being on his way to Spain from Bourdeaux; but he avers that he never communicated his Business to a single Person between Nantes and Burgos.

1777 Feb 6 Commissioners write from Paris "we have agreed that Mr. Lee go to Spain."

Madrid 17th Gardoqui appoints first Vitoria then Burgos

Burgos 28 A L accepts the Assignment

Mar 5 He memorializes

Passi 21 Franklin having recd. a Commissn for Spain "joins Mr. Deane in requesting" A L to proceed in the Spanish Business on the former footing. Letter signed Franklin.

Apr 28 F D & L write from Paris.⁴ "It might be well for one of us to visit Prussia. Mr. Lee has readily undertaken this Journey."

D—— "Saddled" with a Colleague.

L—— Fatiguing Journies were readily undertaken by me while they had all the Comforts and Emoluments of Office. Quiet Residence, Gift of Places, Expenditure of Money

D—— L. did nothing at Berlin but lose his Papers.

- L—— I gain an absolute Promise of the Kg. to follow the Lead of France. The unforeseen Death of the Elector of Bavaria by the Small-Pox and the consequent Dispute between the Emperr. & Kg. of Prussia alone put a Bar in my Way.
- June 26 Baron Schulenburg's Letter
- 28 L—— not having had a single Line from his Col-
lagues. complains. "It is no easy thing to divine the Reason of so long a Silence." "Two days ago as I was dining my Bureau was broken open—in 1/2 an hour all the Papers were laid down at my door again."
- July 2 A Letter dated Potsdam signed Fideric.
- Aug 8 Baron Schulenburg acknowledges the Receipt of Lettrs. in the Kings own Hand of Aug. 15, Sepr. 21. See also Janry. 16. 1778.
- L—— says the Robbery of his Bureau at high day in the midst of Berlin by breaking two Locks was not to be apprehended by any Man—that no discovery was the consequence to the prejudice of America, or even the deranging of D's vile Dunkirk Scheme which so justly offended France as may be seen by the following Count de Vergennes Letter
- 21 to Mr. Grand.
- Slurs are thrown on the other Commissrs. for remaing. at Paris, but the *Disposition of the Courts* is sometimes an Excuse.
- Sepr. 8 F D & L write *Spain* not having yet resolved to receive a Minister from the Congress Mr. *Franklin* yet remains *here*.
- Only two letters written to Shelburn by Lee since he left England nor has that Nobleman ever attempted directly or indirectly to draw a Line from him.
- 1st Letter Decr. 23d. 1776. 2d, Decr. 10th. 1777.
- Oct 7 D says Wm. concealed his Commissn. for Vienna. *We* have delivered the Commissns. to William Lee & Mr. Izard. He blames Wm. for Secrecy, Arthur for blazing. Wm. has 5 per Cent which he divides with others. Schweighauser & Bonfield certify the contrary Feb. 18, 1779.
- Dec 5th Thos. Morris offers Williams 5 per Cent which Mr. Williams claims from Deane 5 per Cent, & charges
- 1778 Feb 28 it on the Disbursemts.
- May 29 of the *Ranger* & the *Independance*.
- D— say Wm. Lee dismissed Mr. Williams.

F & D appointed, or confirmed an appointmt. before made, July 4, 1777.

Franklin, Lee & Adams revoked those Powers May 25 1778.

1778 Jan 16 Baron Schulenburgh acknowledges Decr. 4, 28 & says he wrote Decr. 18th & 23d. repeats Prussia will follow France—and *now* grants any Arms to Mr. L's order.

Feb 28. *Commissrs.* get a Power to seize T M's Papers.⁵ as to the Stock Jobbing

D—insinuates that C. Fox proclaimed a Knowledge of the Treaties—and being Shelburn's *Friend* must have thus got his Knowledge 2d arily from A Lee. Fox is the Family Foe of Ld. S—— and besides

Feb 17 declared in the House of Coms. that he had seen a Letter from Doctr. Franklin in which that Commissary of America says expressly "It is 10 days since the Deputies of Congress signed (*Cetera desunt I fear I have lost the Post, JL.*) a treaty of Commerce with the french Minister in which all the Formalities, which are observed between nation & nation contracting, have been solemnly maintained.

You will see by the last paragraph that my letters were too late for the post. He had been gone half an hour. I proceed therefore with the Stockjobbing.

D—— asserts that "about the Times of the arrival of the News of Burgoyne's Surrender Mr. L's Secretary went to & from London charged with Affairs which were secret to the other Commissioners"

1777 Decr. 4th Mr. Austin Arrived at Paris with the News of Saratoga. Mr. Lee had no Secretary at that Time nor long before: he once had Mr. Sayer who lef him at Berlin. His next Secretary was Major Thornton, a Gentleman who was sent to London with the Commissioner's Letter to Ld. North about the Treatment of our Prisoners; as Doctr. F. writes

Decr 11 to Sr. Grey Cooper, "We have prevailed with a Gent. Majr. Thornton (to us much a Stranger, but who appears a Man of Humanity) to visit the prisoners & give from us some Relief to those unfortunate Men."

This Majr. T—— among other Information writes from London which was long concealed from Mr. Lee. "Ld. North told Mr. Hartley last Saturday

- 1778 Jany 3d (Jany. 3d) that he knew several Persons who had come to London from Messrs. Franklin, Deane & Lee and that Doctr. Bancroft had been sent by those Gentlemen on Stockjobbing business.”
 Lt. Livingston late of the Boston, which he quitted, and having strong Recommendations from the Commissrs. is coming to America in the *Governor Livingston*, which he commands. This Gentleman, saw in London a Letter which he was told came from Doctr. Bancroft, and the handwriting of which he knew, directed to Mr. Wharton dated Jany. 27 informing him that he had it from the very best Authority he might depend upon it, that the Treaty with the Court of France was to be signed the 5th or 6th of Feby. and desiring him to make his Speculations accordingly.
- Jany. end Mr. Lee took Mr. Thornton first into his Service that he might have a Man of Spirit to fetch intelligence of the Enemy's force & designs from Time to Time.
- Feb 21st Sent the Majr. wth. Instructions, attested Copy of which is now with Congress.
- Apr. 30 Again with Instructions.
- May 2d A L informs the Spanish Ambassadr. that he had sent a faithful Person to know whether there was a Design agt. the Flota.
- 10 Gives Intelligence to Ct. de Vergennes.
- 17 Warns Thornton against Stock jobbing & writes to a Fr[iend] to have an Eye over him.
- 23 Informs the Comtee. of for. Affrs. of the sailing of 13 Ships.
- June 9 Gives Intelligence to Count D'Aranda & Ct. de Vergennes.

Thornton was seduced away by the Contrivances of a Junto who were thus also revenged upon him for having given Intelligence against Doctr. Bancroft.

Deane owns he got his Recall the 4th of March yet he imposed himself on the public so as to be presented on the 20th. He disposed of public Money to others and took largely of it himself.

March	15	Assignation of Mr Deane to Jas Barnet	250.
do	17	to B Nicholson	240.
do	25 & 27	 to H Johnston & I All	<u>1400.</u>
do	17	on Receipt to S D	<u>4800.</u>
	24	do to S D	2400.
	30	pd. down on Rect. to S D	26715.
	30	pd. on Rect. to S D	<u>4800.</u>

Thus Mr D no longer a Comr. takes out of public Treasure entrusted to the Comrs. only, in the space of 13 days 38715 Livres. But the Banker, Mr. J. Adams & young Mr. Franklin can testify that House Rent, Furniture, Carriage & even his Servants wages have been pd. since out of the public Money. The Expences of his Voyage were defrayed by his most christian Majesty.

Mr. Deane *concealed* his Recall from his Colleagues says Ar Lee; but I am not convinced by the Proof he gives.

Copy of A Lee's Letter to the Hon Benjamin Franklin

Dr Sir March 13. 1778

I have been told that there is news of Congress having recalled one of us from this Court. If any Intelligence has been received of it at Passi I beg the favor of its being communicated to me.

I have the honor to be &c.

The Answer

Dr Sir Passi Mar. 13. 1778

I have been told that some Passengers landed at Orient from an American Ship report that Mr. Adams is coming out to replace Mr. Deane but I have received no Advice of that Kind from Congress, & suppose that, if true, he will bring their orders with him.

I have the Honor to be &c. (signed) B Franklin

I from Congress, there is perhaps Cunning in this.

Arthur Lee says, as to my being at once "joint Commissr. at the Court of Versailles & sole Commissr. at the Ct. of Madrid" it is a wilfull & shameless perversion of Truth for as shameful a purpose—that of deceiving the public & calu[m]niating their absent Servant. I have seen Mr Deane read my Commission more than once—"Provided always that the sd. Arthur Lee shall continue to be possessed of all the Powers heretofore given him as a Commissioner at the Court of France so long as he shall remain in & be present at the sd. Court." This wise & æconomical Measure of Congress excited infinitely Mr. Deane's Spleen because either in his misconception or misrepresentation it showed an extraordinary Confidence in the Man he hated & whose Ruin he meditated.

Mr. D—— published on the 5th of Decr. 1778 on the 14th of Sepr. preceding Doctr. Franklin had been chosen Minister plenipotentiary here and consequently I was no more a "Commissr. of the Ct. of Versailles". Was Mr. Deane in Philadelphia ignorant of this? He asserted that on the 5th of Decr which he knew to be untrue; and this with the worst & basest of all purposes—the imposing upon the People to induce them to censure Congress & myself unjustly.

Mr. D—— informs the Public that unfortunately for them I gave universal disgust to the nation whose Assistance we solicited. He had taken the Business of the Comrs. so much to himself that not one in a million knew that I was a Commissioner; not one in a hundred of the Letters from the differt. pts. of the Kingdm. bore my Name. See

the Fact & the Reason from Messrs. Delaps of Bourdeau. Janry. 3d. 1778. "We wrote several letters addressed to your direction to which we received answers only from Messrs. Franklin & Deane which gave us room to imagine you were absent in Consequence of which we replied only to them Gentlemen." Neither these Letters nor Answers in general were communicated to me. There could not be a Thing more notorious than that I associated with & cultivated the french People ten times more than Mr. Deane.

I am *forced* to give a single Weeks Engagmts to dine. Thursday Monsr Turgot, Friday Count Sarsfield, Saturday Count Welsh, Sunday Prince Tingry, Monday Dutchess D'Anville, Tuesday Mr. de Sartine, Thursday Marshal Duke de Mouchy. Satday. Duk D'Aien. I did not it is true strive to have my Name trumpeted at the Coffea houses by the gift of recommendatory Letters which were counted as Contracts bindg. on Congress, wch I had it from Ct. de Vergennes himself that he disapproved of. See Mr. Boux's Complaints No. XXII. Congress knows the Money & disquiet these ill judged & presumptuous Proceedings cost.⁶

RC (NN: Adams Papers).

¹ Arthur Lee.

² This was a second copy of Arthur Lee's "vindication" of his actions as American commissioner in Europe, for which see Lovell to Adams, July 16, 1779, note 2.

³ Lovell's "large Memoranda" to Richard Henry Lee have not been found.

⁴ That is, Benjamin Franklin, Silas Deane, and Arthur Lee. The passage that Lovell quotes here from Lee's letter actually reads: "we have thought it might be well that one of us should visit it immediately to improve its present good disposition & obtain, if possible, the privilege of their ports, to trade & fit Ships in & to sell our Prizes. *Mr. Lee has readily undertaken this Journey.*" PCC, item 83, 2:23-24.

⁵ That is, Thomas Morris.

⁶ Although Lovell's summary of Arthur Lee's February 10 letter abruptly ends at this point, Lee had in fact continued with a spirited defense of his brother William.

For the continuation of Lovell's letter, see Lovell to Samuel Adams, August 3, 1779.

Edmund Randolph to Thomas Jefferson

Dear Sir

Phila. July 27. 1779.

The annals of the war, tho' perhaps they may contain a more important, will not transmit to posterity a more brilliant action, than the reduction of Stony point, which was effected on the 15th Instant under the command of General Wayne. The fort, scarcely more accessible by nature than Quebec itself, was rendered more difficult of approach by abbatis, and other military obstructions. If the ardor of the assailants could have been damped by human means, the deep morass and strong works in front and flank, which they had to pass and subdue, would have furnished a reasonable excuse. But volunteers alone being admitted into this dangerous Enterprize, they marched up with firmness in the face of a galling fire of Musquetry

and a twenty four pounder, loaded with grape shot. The Business was done by the bayonet only: for altho' the party, which was sent to amuse the garrison, was directed to keep up an incessant fire, the two columns, to whom the real attack was assigned, mastered the works without a single discharge of their pieces. What could veterans do more, than to put their whole confidence in cold Steel? Indeed the van consisted of 150, who advanced with unloaded musquets. The wounded on the Side of America are one Lt. Col., two Capts., three Lieuts., ten Serjts., three corporals, and sixty four privates; the killed two Serjts., & thirteen privates. The killed of the Enemy are 63, the wounded 43, and about 441 privates besides were taken, together with several Officers. The Stores, I believe, are considerable; and are ordered to be appraised, with a view of complying with Gen. Washington's Engagement, that they should be distributed among the Soldiers, if successful. The post greatly annoyed our army, but requiring too large a number of men to hold it, has been destroyed.

I am, Dr. Sir, with great Regard, yr. obliged humble Servt,
Edm. Randolph

[P. S.] You will oblige me much, by suggesting to me such reflections, as occur to you on the subject of peace: not on the propriety of making it, if possible, but on the terms, necessary for America to insist on.

RC (DLC: Jefferson Papers).

William Whipple to Josiah Bartlett

My Dear Sir

Philadelphia 27th July 1779

Your favor of the 10th inst is now before me.¹ Looking over my minutes I find I have wrote you several times since the 27th May and that I have punctually discharged my debts in that way, as to numbers.² You seem to be somewhat alarmed at the New-York & Newport publications which are circulated by the Tories and Suspicious Charecters. I am very sorry you have any such left among you, I think it high time they were all Hung, or Banished. The reports, of France seeking for peace under the mediation of Spain is without the least foundation, the reverse is the fact, England has applied to Spain for her mediation which has been peremptorily refused on any terms short of her acknowledgemt of our independence by Britain. The last accots from Paris was under the 6th Apl, there then appeared the strongest attachment to us & you may be assured our cause is extreemly Popular throughout Europe. As to other alliances, they are undoubtedly attainable & I am very sorry that the fault shod lay where it does, that we have not formed an alliance with Spain long ago, delays which all produced by personal prejudices is

the only cause of Spains not being fully engaged in the war long ago; however I flatter myself those causes are in a great measure removed and our affairs will go on more smoothly than they have for some time past. You know we have had great assistance from Spain, her succors are still continued & there is not the most distant reason to think they will be withdrawn, but every reason to think the contrary.

Be comforted my Friend, suffer not Idle reproches to intimidate. Remember our cause is more just than the posterity of Jacob was ever engaged in, yet we are told miracles were wrought in favor of that people, notwithstanding which, it seems there own exertions were always essential for their security, let us exert our selves, as we ought & no doubt Heaven will smile on our endeavors and crown them with success. I fear we place too much dependence on foreign alliances, which will tend to introduce a servility destructive to true Republicanism. We must expect all nations will be influenced by their own interest and so far we may expect the Friendships of any power that inclines to form an alliance with us, but if we expect more, we shall certainly be disappointed—it requires no great depth in Politics to discern that the alliance already entered into is as much for the interest of our ally as ourselves & there is every appearance of an increasing benifit on her part; it is not in the power of Great Britain to offer her any adequate compensation for a surrender of those advantages, there therefore can be no danger from that quarter. Spain has gone so far that she cannot with the least degree of Honor retract, besides if we consider the abuses she received from Britain the last war & her National Character we need not apprehend an apostasy there. Holland stands ready to resent in her way, the insults offer'd her Flagg, almost every Court in Europe think favorably of our Cause, there certainly then can be no cause for despondency, we have nothing to fear but ourselves & such fear wod be immediately discipated if we had vigour enough to get rid of our internal Enemies.

The inclosed papers will give you particulars of Genl Wayne's enterprise, a more Briliant action (all things considerd) is not to be met with in History—the prisoners are on the way to this City.

I am very sincerely Yours,

W. Whipple

[P. S.] I believe I gave you my Opinion of the Vermont negociations in my last.³

RC (NhD: Bartlett Papers).

¹ Bartlett's July 10 letter is in Bartlett, *Papers* (Mevers), pp. 261–62.

² Bartlett had complained that he had not received a letter from Whipple "since yours of the 27th of May," which has not been found. *Ibid.*, p. 261. Whipple wrote at least three letters to Bartlett after May 27. Those of June 20 and July 3 and 12 are printed in these *Letters*.

³ See Whipple to Bartlett, July 12, 1779.

John Fell's Diary

Thursday July 29th [1779].

Coml Committee. Congress. After the dispatches, Reports from the Board of War, and Treasury, the Order of the day, was taken up on the Fishery, and according to Custom nothing done, no reasonable measures will satisfie the Eastern Members. (Mr Mercier & Mr McCoomd).¹

PM Marine Committee.

MS (DLC).

¹This day John Dyer Mercier and Eleazer McComb were elected commissioners of claims. *JCC*, 14:896.

John Jay to Charles Scott

Sir,

Philadelphia 29th July 1779.

The Honorable Mr. Matthews a Delegate from South Carolina lately arrived here—By him Congress received Advices which called their immediate Attention to that Quarter. The terms for which the Militia from No. Carolina had been detached were expiring and the Army under Major General Lincoln losing strength; The Enemy's views & Situation rendered it probable they would be reinforced, and Prudence dictated active Operations against them before they should receive Accessions of Force. These reasons gave Occasion to an Act of Congress of the 27th Inst,¹ a Copy of which I have the honor to transmit herewith enclosed and am, Sir, With great Respect, Your most Obedient And Humble Servant,

J. Jay.

LB (DNA: PCC, item 14).

¹ By this resolve, Congress simply ordered General Scott, at this time in charge of Continental recruiting in Virginia, "to use every means in his power to forward the troops under his command to Charleston, in South Carolina, as expeditiously as possible." *JCC*, 14:893. He had already been ordered by Washington, on May 5, pursuant to instructions from Congress, to prepare 2,000 troops from Virginia for the immediate relief of South Carolina, for which see Washington, *Writings* (Fitzpatrick), 14:498–501; Wright, *The Continental Army*, p. 147; and Committee of Congress to Washington, April 28, 1779.

John Jay to George Washington

Sir,

Philadelphia 29th July 1779.

I have been honored with Your Excellency's favors of the 20th & 21st Inst, with the several papers referred to in the latter.¹

Your Excellency will receive herewith enclosed a copy of a Letter from the President of the Executive Council of this State contain-

ing Intelligence relative to the Reinforcements expected by the Enemy²—a Copy of a Letter from Major General Sullivan of the 21st Inst, & of several Papers which accompanied it, pointing out the difficulties which retard his Progress. These Papers are enumerated in a list which is enclosed with them³—Copies of two Acts of Congress of the 23rd Inst, one for regulating the Hide Department, the other for preventing the destruction of Buildings, & for the better securing Property belonging to the United States.⁴

James Wilkinson Esquire has been elected Cloathier General—He has accepted the Appointment, & promises to enter on the Execution of it without delay.

I have the honor to be, With the greatest, Respect & Esteem, Your Excellency's, Most Obedient Servant,
J. J.

LB (DNA: PCC, item 14).

¹ *JCC*, 14:886–87. Washington's letters are in PCC, item 152, 7:499–510, and Washington, *Writings* (Fitzpatrick), 15:446–53. In the latter, which contained his own lengthy account of the planning and execution of the assault on Stony Point, Washington enclosed lists of casualties, prisoners taken, and supplies captured during the operation.

² Joseph Reed's July 27 letter to Congress, containing intelligence from one James Yard, recently arrived from New York, is in PCC, item 69, 2:91–94.

³ See Jay to John Sullivan, July 30, 1779.

⁴ See Jay to the States, July 28, 1779.

Henry Laurens to Alexander Hamilton

Dear Sir,

Philadelphia 29th July 1779.

In addition to the lines which I troubled you with the day before yesterday¹ by Colonel, or should I say, Doctor McHenry, he is an honest Man, with either, or without any Title, permit me to inform you—I presented to Congress this Morning, Colo. Fleury's earnest request for the Flag which he had the glory of lowering at Stony point,² but there was not a single voice heard in second to my motion, in truth I had spoken to several of the Members on the subject before the meeting of Congress, these discovered not only no inclination, but rather an aversion to parting with so high a testimony of a great & brilliant victory, nevertheless I determined to fulfill my promise, you see the success. Fancy often fills up the chasms made by disappointments of this kind; many of the most celebrated Italian originals in the Cabinets of curious fanciful Men in England, are good Copies. Suppose in the present instance the Colonel should order an accurate likeness of the first flag to be made & content himself with that, or that by a very trifling practice of ambidexterity he should exchange the Copy for the original, or suppose he should take a much better & less exceptionable method for accomplishing his wishes, that he should arm himself with one of

Dunlap's Packets in which his gallant behavior & the particular feat of cutting the halliards stand upon record by Authority of Congress; this might be kept in the tin Case with Commissions & testimonials, answer every purpose of display, & save the trouble & expence of lugging 60 or 80 Yards of bunting round the Globe.

I have executed my Commission, have added my best consolatory advice to a disappointed Client & trust the Colonel will do me the Justice to assure himself, my own opinion on the propriety of his suit was not disclosed fully or partially to any body before I had received a modest denial, by a profound silence.

Nothing new from South Carolina, excepting a Delegate³ who left Charles Town one day before the date of our late Letters.

I have the honor to be, With great Esteem & respect, Dear sir,
Your obedient & humble servant. Henry Laurens

RC (DLC: Hamilton Papers).

¹ Not found.

² For the heroism of Lt. Col. François-Louis Teissèdre de Fleury at Stony Point, see John Jay to Fleury, July 27, 1779.

³ John Mathews, who had just returned to Philadelphia and had taken his seat in Congress on July 27. *JCC*, 14:891.

John Fell's Diary

[July 30–31, 1779]

Friday July 30th. Coml. Committee. Congress. Finished the Reports of the Board of Treasury Relative to Finance; The Report for allowing half Pay to the Officers for Life taken in to consideration.¹

P.M. Marine Committee.

Saturday 31st. Coml Committee. Congress. After reading some foreign Letters, Order of the day relating to the fishery, I hope for the last time.

MS (DLC).

¹ See Fell's Diary, July 27, 1779, note.

John Jay to Horatio Gates

Sir,

Philadelphia 30th July 1779.

I have been honored with your Favor of the 20th Inst, with a copy of the One from Coll. Talbot referred to in it. They were referred to the Marine Committee. The Action described in the Colonel's Letter does him and the others concerned great Honor.¹

I have the Honor to be, Sir, Your most Obedient And Humble
Servant, John Jay, Presid.

In CONGRESS, JULY 30, 1779.

ORDINANCE for establishing a BOARD of TREASURY, and the proper Officers for managing the FINANCES of these United States.

THAT the principal officers of the board shall consist of three commissioners not members of Congress and two members of Congress, any three of whom to form a board for the dispatch of business. The commissioners shall be annually appointed by Congress and continue in office until a new election. No member of Congress shall continue to serve as a member of the said board longer than six months by virtue of one appointment, nor shall there be more than one member of the said board at any time belonging to the same state. The board to have a treasurer, a secretary, a clerk and messenger; the secretary to be annually appointed by Congress, the clerk and messenger by the board.

That there be the following offices. The auditor general, the treasurer, two chambers of accounts, and six auditors for settling claims and accounts arising to the army.

That in the auditor's office there be an auditor general, and assistant annually appointed by Congress, and two clerks appointed by the auditor general.

That in the treasurer's office there be one treasurer annually appointed by Congress, and one clerk appointed by the treasurer.

That each chamber of accounts shall consist of three commissioners and two clerks.

That the board of treasury be authorized to discharge the auditors of the army or any of them wherever they shall find it expedient.

That the commissioners and clerks of the chamber of accounts, and auditors for the army, be annually elected by Congress; and that the auditor general, treasurer, and auditors for the army, be respectively accountable for the credits of their clerks.

That apartments be provided for the accommodation of the several offices of the treasury, in the city or place where Congress shall hold their sessions.

That the duties of the several offices be as follows.

The commissioners of board of treasury to have the general superintendence of the finances of the United States, and of all officers entrusted with the receipt and expenditure or application of the public money, bills of exchange or loan office certificates, to inspect the treasury; to lay before Congress estimates of the public expences, and necessary supplies; and to call on public officers for information; to assist into effect all acts and resolutions of Congress for emitting bills of coin and of exchange, loan-office certificates or other securities, and establishing lotteries; to deposit in the proper offices, such bills, certificates and securities, when emitted; and all moneys arising from loans, taxes and lotteries; to see that the public accounts are regularly stated in the auditor's office, and all public debtors brought to account, frauds detected, and defaulters punished; to sue and prosecute for all debts, wrongs and injuries touching the finances or property vested in Congress; to instruct in their duty, all officers known to be ignorant; to regulate and preserve all contracts and securities appertaining to the United States; to pass under their seal of office a quo warrantum to accountants on a final settlement; where objections are discovered against the report of the commissioners or auditors, to rectify their respective errors and instruct them where they are in doubt; to determine on appeals by an accountant from the decision of any of the auditors or commissioners on any charge or voucher which they may respectively reject; to examine into the merits of all requisitions for the advance of money for public services, and report thereon to Congress; to grant warrants under their seal on the treasurer for balances of accounts and partial payments, and for such advances as Congress shall direct to be made for the public service; which being entered in the auditor's office, and certified to be paid by him, shall be paid. And generally to perform all such duties as shall be assigned them by Congress.

The auditor general. All accounts and claims against the United States (except such as are proper to be adjusted in the field by the auditors of the army) shall be exhibited to him, and the nature or title and the amount of the claim or account being ascertained, the same shall be referred by him to one of the chambers of accounts for settlement; and, being accordingly there adjusted, shall be reported to him: he is then with his assistants to examine the nature of the charges and vouchers, and to reject such as appear to him to be improper, allowing an appeal from his determination to the board of treasury, when demanded by the accountant. After examination, and previous to their being entered in the books of the treasury, he is to present the accounts to the board of treasury for their final determination; he shall direct the method, not only of stating the public books of accounts of the treasury (which are to exhibit a comprehensive view of the finances and expenditures of the United States) but of all other books of accounts of public officers connected with the treasury; and the names of their respective returns and reports; and thro' him all orders and instructions to the chambers of accounts and auditors of the army are to be communicated. All warrants on the treasury or loan-office for issuing public money, are to be entered in the auditor's office, and certified to be paid by him before they shall be paid, and he is forthwith to charge the amount of such warrants in the department or person who is accountable. In case of his absence by sickness or with leave of the treasury board, all the duties hereby assigned to him shall be executed by the assistant auditor general, who shall also be the principal accountant in keeping and stating the public books at the treasury.

The treasurer is to receive and keep the moneys of the United States and issue them on bills drawn by the president of Congress or board of treasury. On receiving money, he shall give a receipt, and on every payment make one likewise, as his voucher: he is to render his accounts quarterly to the auditor general, for examination by one of the chambers of accounts, and being reported to and approved by the auditor, and presented by him to the board of treasury, and no objections appearing to them, a copy shall be transmitted to Congress. All loan-officers shall make monthly returns to him as well as to the board of treasury of the moneys in their hands arising from loans, taxes or other means; on which returns he shall charge such officers in his books when a warrant is drawn on him and he finds it convenient that it should be paid out of the money in any loan-office, he shall indorse on the warrant an order to the loan-office requiring him to discharge accordingly; but when it is transmitted he shall produce the indorsements to the auditor general, who shall register and certify it to have been paid by him, and the loan office is authorized and directed to pay it; and both the auditor general and the treasurer are to credit the loan officer with the sum which he is required to pay by such warrant and order.

The chambers of accounts, on the retelence of the auditor general, shall carefully examine claims and accounts against the United States; compare the charges with the allowance by Congress, and the vouchers to support them; reduce such articles as are over-charged, and reject such as are groundless or unjust, as well as the vouchers which shall appear to them improper; they shall have power to examine witnesses, being first sworn or affirmed by them, or one of them, and to call for any books or papers in the public offices with the custody of any public officer, when they reduce or reject a charge, or set aside a voucher, they shall allow the accountant or claimant an appeal to the auditor general if demanded.

The auditors of the army shall respectively reside in the main army or detachment of the army for which they shall be appointed by the board of treasury, and not be absent without leave of the commander in chief, or commanding officer. It shall be his duty to call to account all regimental officers indebted to the public. To receive the pay rolls and statements of the army from the paymaster general or his deputies, who shall previously examine and certify the sum due; to settle all other accounts of the army, excepting those in the department of the quartermaster, paymaster, directors, clerks, quartermaster, or commissary of provisions, purveyors, or military stores. But when any articles in any of those departments are mixed with charges within the immediate duty of the auditor he shall settle the whole account notwithstanding; he shall also adjust all other accounts which he shall be instructed by the board of treasury to do. He shall present to accounts settled by him and to the auditors with certificates of what is due, to the commander in chief or commander of a detachment, having a military chest, who shall thereupon, unless he has reasons to the contrary, issue warrants on the paymaster or deputy paymaster general in discharge thereof. He shall make report of all his settlements and statements to the auditor general at such times and in such forms as shall be directed by the auditor general. To all other respects he shall execute his duty as prescribed by act of Congress passed the 6th day of February 1778, and such instructions as he shall from time to time receive from the board of treasury.

Extract from the Minutes,
CHARLES THOMSON, Secretary.

RC (NHi: Gates Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹*JCC*, 14:900. A draft of Gates' brief July 20 letter to Jay is in the Gates Papers, NHi. Although Lt. Col. Silas Talbot's letter to Gates is in neither PCC nor the Gates Papers, his successful cruise from Providence as commander of the sloop *Argo*, which he had related to Gates, is discussed in William J. Morgan, *Captains to the Northward: The New England Captains in the Continental Navy* (Barre, Mass.: Barre Publishing Co., 1959), pp. 179–80.

John Jay to Conrad Alexandre Gérard

Sir, Philadelphia 30th July 1779.

I have had the honor of receiving and communicating to Congress your several Memorials with the Papers referred to in them.¹ The Subjects of them are important, and I am persuaded will give Occasion to such Measures, as Justice & the Respect due to the Alliance shall dictate.

I have the honor to be with great Respect and Esteem Your most Obedt. & Hble Servant.

LB (DNA: PCC, item 14).

¹Gérard had recently submitted to Congress five letters and memorials pertaining to the conflict that had developed in Pennsylvania and Delaware over the purchasing practices of Jean Holker, "consul of the king, and his majesty's general navy agent." See *JCC*, 14:894, 898; PCC, item 94, fols. 283–88, 319–38, 343–50; and Wharton, *Diplomatic Correspondence*, 3:258–69. For the resolution of the controversy which generated Gérard's protests against the treatment accorded Holker, see Jay's letters to Gérard, August 3 and 5, and to Joseph Reed, August 5 and 22, 1779.

John Jay to John Sullivan

Sir, Philadelphia 30th July 1779.

I have been honored with your Favors of the 21st & 26th Inst. Copies of the former, & of the Papers referred to in it have, by order of Congress been transmitted to his Excellency General Washington—The latter was referred to the Board of War.¹ With the best wishes for your happiness & Success, I have the honor to be Sir, Your most Obedt. & Hble Servant.

J. J.

LB (DNA: PCC, item 14).

¹*JCC*, 14:887, 900. In its order transmitting Sullivan's July 21 letter to Washington, Congress also specified "That so much of Major General Sullivan's letter as relates to troops promised by the State of Pennsylvania be transmitted to the president and council of said State."

The purpose of Sullivan's letters was to explain "the reasons of the army under my command being so long delayed at this post [Wyoming, Pa.] without advancing into the enemy's country," which he attributed to shortages of provisions, clothing, supplies, and troops. To corroborate his explanations, Sullivan had enclosed a dozen support-

ing documents. PCC, item 160, fols. 249–97. His two letters are also in Sullivan, *Letters* (Hammond), 3:80–84, 86–87.

Henry Laurens' Notes of Debates

[July 30, 1779]

"the most absurd & tyrannical* Order that ever was made the world must know it & shall know it."¹

Mr. Duane in Congress Friday 30 July 1779—who was exceedingly angry because I shewed him this Memorandum—he who affects to lament every thing like indecency in any of his fellow Members will often go beyond indecency itself.

*alluding to the order of the day for finance & foreign affairs—by Mr. Dickinson. I had two days before remarked to the House that the observation of the Order was detrimental to Public good by totally excluding Reports of Committees & other important business whenever one Member should think proper to call the order of the day, which every day in the Week is subject to.

MS (ScHi: Laurens Papers, no. 20). In the hand of Henry Laurens, and endorsed by him: "Mr. Duane's address in Congress 30 July 79."

¹ On June 7 John Dickinson had offered a motion, seconded by Samuel Adams and adopted by Congress, "That on every day upon which it has been resolved to proceed on the order of the day after reading the journals and despatches, the House will proceed accordingly; and no other order than is above mentioned shall be made on any despatch, unless it be by unanimous consent: that this rule continue in force until Congress shall have gone through the reports of the board of treasury relative to finance, and the report of the committee of thirteen on foreign affairs, and of that on the communications from the minister plenipotentiary of France, and no longer." *JCC*, 14:696–97.

For the July 30 debate over Laurens' effort to amend a motion to postpone consideration of a finance report read that day, which apparently provided the occasion for Duane's outburst against the order adopted on June 7, see *JCC*, 14:902–3.

Meriwether Smith to Thomas Jefferson

Philadelphia. July 30th. 1779

Thus,¹ Sir, you see the good Effects of *Committees for regulating of Prices*; which have occasiond a great deal of Confusion without producing any Good that I can percieve. How these proceedings will End, I cannot undertake to determine; but I have sufficient Reasons to convince my Mind, that they are instituted for the worst of purposes. I have hinted to you my Opinion in a former Letter; and cautioned you against the Consequences, I have written to some of my particular Friends, on the same Subject, with a View of discountenancing such proceedings; And I now repeat to you that I

apprehend the most pernicious Effect will flow from the establishment of those Bodies.

I will take the Liberty of adding, that I have it expressly from the Mouth of Mr. Gerard, that he beleives from Circumstances the most convincing to him, that they are Instruments in the Hands of designing Men, who are not Friends to the Alliance, & wish to throw all Government into the Hands of the People by those Means, the better to enable them to attain their favourite purpose.

These Matters have so serious a Tendency that, understanding an Express is just going to Virginia, I could not omit making the Extracts & sending them to you—I wish they may be of Use.

I have the honor to be, yr. most obdct. & hble Servt.

Meriwether Smith

RC (DLC: Jefferson Papers).

¹ Smith's comments are appended to an "Extract from the Memorial of the Minister of France dated *July 26th 1779*," and an "Extract from the Memorial of said Minister dated 28th July 1779, on Same Subject." Gérard's memorials are in Wharton, *Diplomatic Correspondence*, 3:258–60, 264.

Nicholas Van Dyke to Thomas Rodney

Dr. Sir,

30 July 1779

The Case of the Sloop Fortune &c on the Appeal of Capt'n. D^r. Murphy from your Honor's Decree, came on yesterday before the Commissioners of Appeals,¹ but on reading the Transcript of the Record sent up, it appeared to the Commissioners that no Decree has yet been made on the Claim of Capt'n. Peery in Behalf of himself & some of his Independant Company at Lewis, who [were absent?] at the Time of Capture on other Duty, a Question arose whether the Decree sent up could be Considered as a final Decree, as from the same Record it appeared that Claim or the Determination thereon was by Your Honor postponed to another Day. On some observations & Considerations a Majority were of opinion that the Decree was Compleat, and that the Claim afsd. was a distinct Case from that on which the Decree afsd. was given & therefore it would be regular to proceed thereon; but notwithstanding recommended to the Parties to apply to your Honor to determine on that Claim, & bring that also up that the whole of the Claims might be heard at once which would save Time & Cost—which Recommendation was acceded to by the Parties. Mr. Clows I expect will bring down either the Transcript afsd. or a Copy of the Entry made by the Committee of Congress afsd. whereby it will appear that the Hearing of the Appeal afsd. is postponed untill the said Claim be determined on & transmitted here—the 23 August is appointed for the Delaware Appeals. I wish the afsd. Claim could be determined & sent up by that Time. I

expect to be at Dover Monday Week, & wish Captn. Peery could have Notice, also the others to wit, Major Fisher in Behalf of the Militia & a few independant Soldiers who are only interested in that Claim to attend then or the next Day in order to have that Matter determined, if so I expect we shall then have an End of all the Delaware affairs which have lain so much too long already, I mean on the 23 Augt. afsd. I can tell you Nothing new more than the Publick Prints except that, Count De Estaing has lately been reinforced considerably and has taken the Sea, it is supposed is gone against the Grenadas. I wish him good Success. Please to present my Complims. to the Governor & all our good & honest Friends in Dover.

I am Dr. Sir yr. Most obdt. Hble Servt. Nichs. VanDyke

RC (MeHi: Fogg Collection).

¹ Van Dyke appears to have confused the case of the *Fortune* with that of the *Hawke*, both of which were being considered by the Committee on Appeals at this time. The case of the *Hawke* was remanded to the Delaware Court of Admiralty on July 29 because of the absence of evidence of a decision by the state court. For information on both these cases, see Committee on Appeals Decree, September 8, 1779, notes 1 and 2.

Henry Laurens to John Laurens

My Dear son.

Philadelphia 31st July 1779.

The date of my last Letter to you which was dispatched by the hands of Messenger Sharpe is the 23d Inst.

I shall be brief in my present address because I entertain a strong opinion that you left So Carolina soon after the late Invaders withdrew from it, if this shall find you there it will present a Letter from your friend Colonel Hamilton¹ giving an account as he informs me of the brilliant stroke at Stony point, & for foreign & domestic intelligence you will apply to Colo. Gervais. I have been upwards of four Weeks in a poor state of health, I have as little time as inclination for swallowing proper medicine, I wish to make an excursion into the Country or to the Salt air, which I feel would assist me, but I am restrained by friends & by certain considerations, if I can rub through the next Month, I hope that both my disorder & those considerations will be removed.

I pray God to bless & protect you, Henry Laurens.

[P. S.] General Mifflin & Mr. S. Meredith desire to be particularly remembred to you—the General is extremely pleased with your determination against bartering with the Enemy for Charles Town, a circumstance which it seems he learned somewhere at dinner yesterday.

RC (PHi: Gratz Collection).

¹ Alexander Hamilton's letter has not been found, but John Laurens' July 14 letter to him is in Hamilton, *Papers* (Syrett), 2:102–3.

James Lovell to Richard Henry Lee

Dear Sir

July 31st. 1779.

Since I wrote you last¹ I have recd. a Duplicate of all the papers which I have mentioned therein to you as having been sent by yr. Brother Ar[thu]r. I found also in the 2d Packet some that were not in the first. I have kept [what] will enable me to subserve his H[onor] except a few that you will be so [good] as to return when you have either [co]pied or extracted what you wish [to] retain. I think the Originals are more essential for me than for you just at this Juncture. I shall be careful of them as your family property. I kept also the duplic. of July 27 directed to F L L.²

I have also this day recd. many Packets Via Boston with only two Le[tters] for you, both which I send. I remember well you got the Letter Arendt left behind at Miller's, I forwarded it afterwards. As to William's there is no Propriety in consulting Congress about the publication. You will act your own Judgement & that of your Friends in Virginia. I think Ar[thu]r has said more than Willm. has. I need not add that Arthr. says Things *well*.

I cannot but regret more & more that you, Francis & S A³ are not here, now, furnished thus at every Point. I am worn down with writing in addition to the vexatio[us at]tendance on the Debates in Chesnut [Street]⁴ but I hope to be able to g[ive] an analytical & chronological concise View of the diabolical Lies & intentional Assassination of which Deane was flagrantly guilty on the 5th of Decr. last. I have by me a similar State of the Matter to that which I sent you to be forwarded by Post on Tuesday to S A unless the Express goes sooner: so that Mr A will have it in his Power to destroy totally in Massachusetts, by little judicious *Specs*, as he used to phraze News Paper writing, all the Prejudices which may happen to have been raised there by yr. *innuenda Man*. Mr A. thanks me in a Letter of the 19⁵ for something of the Kind but I really have forgot what it was I sent early enough for an Answer already.

Not a single Line to the Comtee from B F⁶ though large Packets are come from him, old News Papers Intelligence sent him from Ports from Week to Week &c. &c. There is a very long Letter to me expressly to me with an interdiction of the Public, tho it is wholly on a Topic concerning the Public—the Impropriety of 3 at one Court—Complimentary of Deane and shewing that Holland is ripe to receive him. But the Oddity of all is that it is dated July 22d. 1778 forwarded by J Williams Nantes Feb 25 1779. [It] is in Answr. to mine of May 15 1778. He say much indeed upon the good Principles which were the

basis of the 11th & 12th Articles; reducible however to this one point which he plainly expresses, vizt that Duties on Exports are Pick-pocket Arts and too mean to be practiced even in the Line of Retaliation.⁷

I can only add a word or two on home matters for I am really faint for want of Sleep.

Fishy. *in no case* to be given up. States to enter into no *Treaty of Comce.* without *unan[simous]* consent unless free Exercise is stipulated [in] regard to that matter; and to resent w[ith] the whole force of the Union any Moles[tation].⁸ These Determinations springly from the Unanimously declared opinion that it is *essential to the Welfare* of all these U.S! that the citizens thereof shd. enjoy the free unmolested common Rights of Fishery. We must be satisfied with *tacit* assurance of Indecpy.⁹

Good night, my dear Sir.

RC (ViU: Lee Family Papers). In Lovell's hand, though not signed.

¹ See Lovell to Lee, July 17, 1779.

² That is, Francis Lightfoot Lee.

³ Samuel Adams.

⁴ An allusion to Congress, which met in the State House on Chestnut Street.

⁵ Samuel Adams' July 19 letter to Lovell has not been found.

⁶ Benjamin Franklin.

⁷ On the subject of Franklin's July 22, 1778, letter, see Lovell to Samuel Adams, August 3, and to Franklin, August 6, 1779.

⁸ "Molestation" had become a critical word in the settlement of the dispute over access to the fisheries, when Congress on July 29 agreed that "if after a treaty of peace with Great Britain, she shall molest the citizens or inhabitants of any of the United States in taking fish on the banks and places described in the Resolution passed the 22d day of July, instant, such molestation . . . shall be a common cause of the said states; and the force of the union be exerted to obtain redress." *JCC*, 14:896–97.

⁹ Lovell wrote the following tongue-in-cheek warning in the margin beside this last paragraph: "dead secret unless you get it from the Weathercocks or otherwise."

John Fell's Diary

Monday August the 2d. 1779

Coml Committee. Congress. A long Letter from Mr Bingham¹ and other dispatches took up this day. Mr Jay Sick.

MS (DLC).

¹ This day Congress considered not one but three "long" letters from William Bingham, its agent in Martinique. *JCC*, 14:912. For those of June 29 and June 30–July 12, see William Whipple to Josiah Bartlett, August 3, note 4. In his third letter, dated July 6, Bingham protested against two "glaring & vexatious Acts of Partiality & Injustice" committed by the government of Guadeloupe in seeming violation of the French treaties with the United States. The first concerned a Virginia sloop, the *Kitty*, which had been captured by a French privateer and condemned as a legal prize in the admiralty court at Guadeloupe. The second involved Benjamin Putnam, a Massachusetts privateersman, who had been captured and carried to

Antigua, where he escaped from prison, seized a British sloop in St. John's harbor, and sailed to Guadeloupe, only to be imprisoned again and have the vessel restored by the French to the British governor of Antigua. For documents relating to these two incidents, see PCC, item 90, 1:115–67. Referred to committee, both cases became the subject of a lengthy report to Congress on September 4. In its report, written by Thomas McKean, the committee recommended that restitution be made to the aggrieved parties but deferred to the “wisdom and justice” of the French king. The resolution adopted, however, was written by John Jay and directed that a “representation” be made to the French minister seeking redress and restitution “consistent with Justice and the Laws of Nations.” See PCC, item 19, 1:341–44; and JCC, 15:1021–24. No evidence has been found, however, that such a representation was made or that either case was ever resolved.

John Jay to Joseph Reed and Jeremiah Powell

Sir, Philadelphia 2nd August 1779

The Papers herewith enclosed respect the capture of the *Snow Nostra Segniora de Carmel & Saint Antonio*, a Portuguese Vessel by the private armed Schooner *Phoenix*, Joseph Cunningham Commander.

Your Excellency will perceive from the Copy of an Act of Congress of the 20th Ult^o.¹ enclosed with these Papers, that they consider this Capture as a violation of the Laws of Nations, and recommend proper Measures to be taken for giving Satisfaction to the Party injured and punishing the Aggressors.

These Papers should have been transmitted sooner, but the Secretary could not furnish me with them till Yesterday. I have the honor to be Sir, With great Respect Your Excellencys Most Obedient Servant.

LB (DNA: PCC, item 14). Addressed: “To His Excellency President Reed. The Same to Presidt. Powell,” that is, the presidents of the councils of Pennsylvania and Massachusetts.

¹ Actually resolves of July 21, for which see Jay to Thomas Jefferson, July 26, 1779, note.

James Lovell to Richard Henry Lee

Dear Sir Augst 2d. 1779

I have this day recd. more Packets from france than what I have before mentioned to you.¹ I send some & keep others. One Packet was sealed & gone to Mr Laurens's before I thought of the mode of making a + to let you see what I have by me. My aim is that you should have a compleat Set. S A² another or at least the reading of one and I myself another for a Stand-by. Give me therefore all yr. Spare ones, demand of me what you want and do this with as little risque as possible on the Road. As you have a List of all the Vouchers sent by

A.L.³ in Confirmation of his Letter of Defence you need not copy or strive to spare any thing therein a duplicate being with me, but you can send me a *List* of what Letters & Papers relate to particular Points either of *Accusation* against him, or rather *Innuendo*, or of Frauds in D.⁴ or others. I will do the Like.

Of the Letters lately arrived I have two of these directed to RHL or FLL or JL,⁵ one of these cover[ing] Resig.—also Jan 6 to RHL—*Amico* Berkenhout to AL with the Answr. Sep 5, 77—AL to Vergennes, Apr. 24, 78. Doctr. P.⁶ cannot come over as he tells AL in a Letter of Jan. 18, 1779 Copy of which we have.

I inclose you a Boston Paper in wh. the Piece referred to yours is inserted.⁷ I forwarded it I think some time ago but it is ill translated or the Printer has blundered.

A great Spirit is showing itself in Mass. respectg. the Money. Genl. Warren & Mr S A tell me that both Seaport & Country Conventioners were unanimous to the Number of 170, or more. I presume Mr. J Adams has with him every Thing necessary to serve Arthur & confound his Slanderers. I momentarily expect Mr. A.

Excuse to my Haste on this Post day what a more proper Time shall give you from yr. affect. humb Servt, J L

[P. S.] I send for yr. Reading a Sample of yr. Brothers friendly attention to me.

Yr. favor of July 24th is safe with the Proof of the *honest* Ingenuity of the two Commissrs.

R Izd. complains of great Brutality of Conduct in the Manner of F's⁸ refusing a Draught of his for Support which AL & JA paid. I have a curious, long Letter of July 22 – 78 recd. July 27 – 79 not sent from Nantes till Feb. 25 this year tho it does not appear to be a copy or a Triplicate.

RC (ViU: Lee Papers).

¹ See Lovell to Richard Henry Lee, July 31, 1779.

² That is, Samuel Adams.

³ Arthur Lee.

⁴ Silas Deane.

⁵ That is, Richard Henry Lee or Francis Lightfoot Lee or James Lovell.

⁶ Doubtless Dr. Richard Price, whom Arthur Lee had urged to emigrate to America. Louis W. Potts, *Arthur Lee: A Virtuous Revolutionary* (Baton Rouge: Louisiana State University Press, 1981), p. 83.

⁷ The precise "Boston Paper" could not be determined.

⁸ That is, Benjamin Franklin. For further information on his long-delayed July 22, 1778, letter mentioned below, see Lovell to Richard Henry Lee, July 31, note 7; and Lovell to Benjamin Franklin, August 6, 1779.

John Fell's Diary

Tuesday August 3d. [1779]

Coml Committee. Congress. Sundry Letters and Memorials Read, and some Resolutions agreed to for Instructions.¹ P M Marine Committee.

MS (DLC).

¹ That is, for negotiating a peace treaty.

John Jay to Conrad Alexandre Gérard

Sir,

Philadelphia 3rd August 1779

I have the honor of transmitting, herewith enclosed a copy of an Act of Congress of Yesterday on the Subject of your late Memorials.¹

As it furnishes unequivocal Proof of the Determination of Congress to adhere strictly to the Principles of the Alliance, as well as of their Respect for the Dignity of his most Christian Majesty, I am persuaded it will be no less pleasing to him than satisfactory to You.

I have the Honor to be Sir, With great Respect & Esteem, Your most Obedient And very Hble Servant. John Jay, Presid.

RC (Archives du Ministère des affaires étrangères: Correspondence politique, États-Unis, Supplement, vol. 1). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ For Congress' response to Gérard's "late memorials" concerning the popular protests against Jean Holker's purchases of provisions in Pennsylvania and Delaware, see *JCC*, 14:912–15; and Jay to Gérard, July 30, 1779. It should be noted, however, that with this letter Gérard received only the resolves printed in *JCC*, 14:914–15, because the other committee recommendations concerning Gérard's memorials entered on the journals for August 2 were intended to appear only on the secret journal of foreign affairs, and were deleted by Secretary Thomson from his regular journal. See *JCC*, 14:912–14; *PCC*, item 1, 23:92–95; and Archives du Ministère des affaires étrangères: Correspondance politique, États-Unis, Supplement, 1:346.

Holker's purchasing practices had been the subject of widespread concern since June, and Gérard was undoubtedly moved to seek congressional intervention to prevent the rising tide of protest from discrediting the Franco-American alliance and hampering the procurement of provisions for the royal navy in American waters. His several letters of July 26, 28, and 29 had been referred to two committees that quickly moved to allay Gérard's fears, in part because he had previously expressed similar concerns in two letters to Congress of July 5. He had, moreover, grounded his July 26 protest in international law, explaining to Congress its obligations under the law of nations to protect a duly accredited officer of the king, and he submitted a similar protest to the president of Pennsylvania, Joseph Reed. Congress thereupon ordered a committee to confer jointly with Gérard and Holker, together with Reed and the Pennsylvania Council, and "report a state of facts . . . with their opinion of the measures proper for Congress to adopt thereupon."

Congress' capitulation to Gérard's demands was paralleled by a similar response from Pennsylvania authorities, who had already tired of the popular protests in Philadelphia, which appeared to endanger both Franco-American relations and their

own constitutional powers. Within a few days Gérard was awash in effusive expressions of American support for the French alliance, and in his reports of August 8 to the comte de Vergennes he signified his entire satisfaction with the responses of both Congress and Pennsylvania. See Wharton, *Diplomatic Correspondence*, 3:258–69, 286–87; *Pa. Council Minutes*, 12:46–47, 59–61, 63–64, 66, 68–69, 71–72; Meng, *Gérard Despatches*, pp. 828–43; Committee of Congress to Jean Holker, June 25, note 2; Jay to Gérard, July 7 and August 5 and 10; and Jay to Joseph Reed, August 5, 1779.

James Lovell to Samuel Adams

Augst. 3d. [1779]

Other Packets than what I have mentioned in my last have arrived so that I can keep by me several Papers belonging to you and not rob you or give you Trouble to Copy. I want R H Lee and you & myself to have a Set of essential Vouchers. Send me therefore what you have to spare, and call on me for what you wish to possess relative to disputable Facts interesting to the Reputation of any of our public Friends or Foes, for of both Sorts have our Officers *been*. You will see Mr. J.A.¹ before I shall. R. Izd. complains of brutish Treatment in the Manner & air of F's² Refusal of a Draught for Izd's Support which A L & J A thereupon pd.³ F has sent me a very long *private* letter dated July 22d 78 forwarded Feb 25. 79 and reaching me July 27th. It is in Answer to mine of May 25 1778 and probably fabricated after D's¹ Publication appeared in Europe.⁵

I rejoice at the Spirit of money-lending & Tax-paying in yr. Quarter. The third Spirit is rightly placed in the Rear. It was not calculated for a *Lender*.

I have marked with a + what papers I have of yours. I have also by another Way the Paper inclosed in Sept. 12.

I have recd. yr. favor of July 19th By Express and the Gazettes inclosed with two Lines July 22d. Hope to be able by Mr. McLane to say Something of the Conduct in Chesnut Street, and at the Corner of Front & Chesnut as well as about my ruining Family. I begin to grow most seriously alarmed on Account of them. Calculation shows me that I must not go decently clad or they must not be fed. Nay, both I & they naked, meat, drink & house Rent are beyond my Income. It seems to me that the Vexations of a Seat in Congress are now known and avoided. Pray look out Seasonably for Men willing to do the Work as well as to accept the Honor of an Election, And for our Country's Sake, I pray they may not only be willing to work but work *faithfully*. All is done that could be accomplished concerning the Existence of Marblehead, Cape Ann⁶ &c., and enough is done for an *honest*, able negociator to proceed upon. We have no authentic accounts of what the Gazette of this Morning mentions respecting Prussia;⁷ but I think it by no means improbable from what Foundation A Lee laid and Wm. was prepared to continue.

Let me hear from you as often as may be.
With much Regard, yr Friend & h Servt.

J.L.

[P.S.] I have kept	Jan	9	}	A Lee's
	Feb	3		
	Mar	6		
		12		

RC (NN: Adams Papers). A continuation of Lovell to Adams, July 27, 1779.

¹ That is, John Adams.

² Benjamin Franklin.

³ For Ralph Izard's January 28, 1779, letter to the Committee for Foreign Affairs, which was read in Congress on July 27, see *JCC*, 14:892; and Wharton, *Diplomatic Correspondence*, 3:33–34.

⁴ Silas Deane.

⁵ See also Lovell to Richard Henry Lee, July 31; and Lovell to Franklin, August 6, 1779.

⁶ At this point Lovell inserted an asterisk, to which he keyed the following words in the margin: "the fishery is meant."

⁷ The *Pennsylvania Gazette* published on August 4 the following brief extract of a June 26 letter from Martinique: "We have late news from Europe that all the Northern Powers are united to ensure our independence, and that the King of Prussia has entered into the confederacy as mediator between France and England."

Although Lovell dated this part of his letter "Augst. 3d," he probably completed it the following day.

Nathaniel Peabody to Josiah Bartlett

Dear Sir

No. 4.

Philada. 3d. Augt. 1779.

Have Just opportunity to inclose a few papers. Genl Whipple, who I suppose will write you at large, Consents to Tarry here, till the weather is more Comfortable & untill Some very important affairs are decided in Congress—very favourable accounts from the West indias. Shall give you Some particulars Concerning Party *Spirit* in my next. South & East—the most unfavourable Circumstance in our public affairs. Compliments to all friends. I am Dear Sir, your most obedient Humble Serv,

Nathl Peabody

RC (NhD: Bartlett Papers).

William Whipple to Josiah Bartlett

My Dear Sir

Philadelphia 3d Augt 1779

I wrote you per last post when I believe I acknowledged the receipt of yours of the 10th of July.¹ I am sorry Mr. Secy. Thompson did not see the Committee of Congress at Vermont,² however I hope every measure will be taken to support N. Hampshires Claim to that Territory. N.Y. has been very quiet about that matter ever since the

return of the Committee but this Calm will not last long. You are too well acquainted with the arts & insidious designs of certain men to need their charecters from me. If the Claim of New Hampshire is not supported that Country will assuredly be annex'd to N.Y. which I am sure must be attended with disagreeable consequences not only to N.H. but other Eastern States. I intended to have wrote you largely on this subject but having been several times interrupted & my head crowded with a thousand other matters, I am under a necessity of defering it for the present.

Our Accots. from the West Indies are by no means unpleasant, I will give them to you so far as my recollection serves me from hearing Mr Bingham's Letter read which came to hand Yesterday.³

Count De Estaing with 25 ships of the line & 11 Frigates sail'd from Martinico the 28th June for Granada.

Admiral Byron being inform[ed] of the Capture of St Vincents on his arrival at St Lucia in the Evening of the 30th sail'd the 1st of July in the morning with 18 ships of the line & 3 Frigates in order to retake it being then ignorant of the Expedition against Granada. He appear'd before St Vincent & demanded a surrender but a deputation of the principal inhabitants informing him of the Resolution of the Caribs to carry devastation through the Island if an attack should be made & beseeching him to leave them to their destiny, & at the same time he being inform'd of the critical scituation of Granada abandon'd his project & directed his Course for that Island, which it is not improbable might have surrendered before his arrival as the french fleet had four days start of him.

Byron took 2000 Troops with him from St Lucia whos Baggage were on board the transport & were destined for this Continent. From these circumstances there is the highest probability that an action has happened indeed reports will have it so, but I hope I shall not incur the Charge of Infidelity for not giving into reports too readily, however I will agree with the miltitude so far as to allow that appearances are very favorable.

Please to inform me whether the journals of Congress which I directed to Col. Gilman are come to hand; I shod also be glad to know if you ever received the "Observations on the American Revolution" which I sent to you in Feby or March. I sent at the same time a number to be distributed but have never heard if any of them came to hand. I most Heartily wish your Penobscot Expedition may succeed nor can I see any thing against but the delays that have taken place in preparing which may give the Enemy opportunity to get reinforcements. Should it succeed I can see no difficulty in crossing the Bay immediately & taking possession of Nova Scotia, this would be so Glorious an acquisition that it wod surely be worth Hazarding much for. Pray let me know if such a plan is in contemplation. Col. Peabody informs me he has inclos'd the latest News papers.

By the conclusion of your last letter you seem to expect me home shortly; I have stay'd much longer than I intended, or perhaps than is desired by my Constituents. If the latter shod be the case a very short notice will be sufficient for my departure from this place. I am extreemly anxious for the determination of some important questions which ought to have been decided many months ago,⁴ this & some other matters, which I shall communicate to you when I may have the pleasure of a tete-a-tete conversation, on some future day will accot for my continuing so long here; & since the summer is so far spent I think to take the pleasant part of Autumn to travel in unless it shod be otherwise ordered by the authority which placed me here & whos orders I shall always be happy in Obeying.

I am my Dear Sir most Respectfully, Yours, Wm Whipple

RC (NhD: Bartlett Papers).

¹ Bartlett's July 10 letter to Whipple is in Bartlett, *Papers* (Mevers), pp. 261–62.

² For further information on Ebenezer Thompson's fruitless trip to Vermont, see Whipple to Bartlett, June 20, 1779, note 2.

³ Letters from William Bingham of June 29, June 30–July 12, and July 6, 1779, were read in Congress on August 2. *JCC*, 14:912; and *PCC*, item 90, 1:95–110. For the July 6 letter, see John Fell's Diary, August 2, note.

Extracts from the June 30–July 12 letter describing actions of the French fleet in the West Indies were published in the August 10 and 12 issues of the *Pennsylvania Packet* under the credit line from "a gentleman of character in St. Pierre." Additional letters from correspondents on St. Eustatius and Martinique were also printed in the *Pennsylvania Packet* on August 5, 10, and 12, 1779.

For further information on recent French naval victories in the West Indies, including the capture of Grenada and Saint Vincent, see Jonathan R. Dull, *The French Navy and American Independence* (Princeton: Princeton University Press, 1975), pp. 159–62.

⁴ The "important questions" that kept Whipple in Philadelphia at this time undoubtedly concerned ultimata to be demanded in future peace negotiations, and of these the fisheries loomed most large. This concern had led him and Henry Laurens to schedule a private meeting with Conrad Alexandre Gérard on July 19, which Whipple was not able to attend because of illness, but its substance can be ascertained from Gérard's report of it to the comte de Vergennes. "La conference que j'ai annoncee dans ma d[ernie]re Lettre a eu lieu aujourd'huy," Gérard wrote on July 20, "mais avec M. Laurens l'un des Chefs opposans seulement, le Second, le General Whiple s'etant trouvé indisposé. Les arguments dont j'ai si souvent fait mention on été épuises de part et d'autre. Je me suis prêté à toutes les discussions possibles et je crois avoir démontré l'absurdité des principes sur lesquels on se fondoit et qui sont en substance que les droits de peche est un droit inherent à la souveraineté et comme tel compris implicitement dans le Traité d'alliance." Meng, *Gérard Despatches*, p. 804.

William Whipple to John Langdon

My Dear Sir,

Philadelphia 3d Augt. 1779

Since my last to you I have rec'd your two favors of the 12th and 19th ulto. I am very sorry for your disappointment, but doubt not you have had intelligence Since, that has in some measure made up for it. Our success at Stony Point has in some measure drawn the

attention of the enemy from the brutal ravages which they were carrying on with such rapidity in Connecticut—the prisoners arrived here a day, or two ago. Accounts from the West Indies are not disagreeable—the movements of Count D'Estaing has stopped 2000 men which were destined for the Continent. The Count's great superiority at Sea affords a flattering prospect of success should he come to action with Byron, the former having 25 ships of the line and 11 frigates, and the latter is said to have only 18 of the line and three frigates. It is probable you will have a particular account from the West Indies before this reaches you, I therefore will not trouble you with a Second hand Story.

I have seen but 2 or 3 of the Magazines you mention and those were not worth reading therefore I have not taken them, but if you incline to take them they may be sent in the way you propose. I shall wait your further orders and wish to be informed if you chuse to have them from the first publication. The Penobscot expedition is of importance. I pray God it may succeed, but fear the great delays with which it has been attended, will give the enemy time to reinforce, if it should be Successful what is there to prevent crossing the Bay and taking possession of Nova Scotia for the honor of N.E.

Adieu, Yours,

Wm. Whipple

Tr (DLC: Peter Force Collection).

John Dickinson's Draft Commission

[August 4? 1779]

The Delegates of the United States of N.H., M.B., R.I. & P.P., C., N.Y., N.J., P., D., M., V., N.C., S.C., & G.—to all who shall see these presents send Greeting.

⟨We being informed⟩ It being probable, that a Negotiation will *⟨probably be⟩* soon be commenced for putting an End to the Hostilities between his most Christian Majesty and these States on the one part, and the King of Great Britain on the other part, and sincerely desiring they may be terminated by a peace founded on such solid and equitable Principles, as reasonably to promise a permanency of the Blessings of Tranquility, Know Ye therefore, that We confiding in the Integrity, prudence & Ability of _____ have nominated and constituted and by these Presents do nominate & constitute him the said _____ our Minister plenipotentiary, giving him full power general & special to act in that Quality, to confer, treat & agree & conclude with the Ambassadors or plenipotentiaries of his most Christian Majesty & the King of Great Britain & any other princes whom it may concern, vested with equal powers, concerning the reestablishment of peace & Friendship, and whatever shall be so

agreed & concluded, for Us & in our Name to sign, and thereupon make a Treaty or Treaties, and to transact every Thing that may be necessary for completing, securing and strengthening the *<good & >* great Work of Pacification, in as ample Form & with the same Effect as if We were personally present and acted therein, hereby promising *<and engaging>* in good faith, that We will accept, ratify, fulfill and execute whatever shall be so agreed, concluded & signed by our said Minister plenipotentiary, and that We will never act nor suffer any person to act contrary to the same in the whole or in any part. In Witness whereof We have caused these presents to be given in Congress at Philadelphia the Day of in the Year of our *Lord* one thousand seven hundred & seventy nine, and signed by the President & sealed with his Seal.

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson.

¹ This document may be the first draft of a commission brought in this day by a committee composed of Dickinson, Henry Marchant, and Gouverneur Morris that had been instructed on June 17 "to prepare the form of a commission to the minister who may be appointed to negotiate a peace." The draft submitted was read this day and ordered to be "taken into consideration tomorrow," but the order was ignored. *JCC* 14:744, 922. The following week, however, when Congress agreed to separate instructions for the ministers to be appointed to negotiate a treaty of peace and a treaty of amity and commerce with Great Britain, it apparently directed Dickinson's committee to prepare separate commissions as well, for on September 28 Congress approved two draft commissions prepared by the committee for that purpose. See *JCC*, 14:955–56, 15:1116–17. The draft of the commission for the minister to negotiate a treaty of peace that Dickinson submitted to Congress, which is only a slightly revised version of this document, is in PCC, item 47, fols. 317–18. Texts of both commissions, contrary to the assertion of Worthington C. Ford, are in the Secret Foreign Journal. See PCC, item 5, 1:336–39; and *JCC*, 15:1117n.2.

John Fell's Diary

Wednesday 4th Augst. [1779]

Coml Committee. Congress. A number of Letters from Genl Washington, Genl Gates &c. Long debate on the Ministers memorial relating the Ship Mary & Elizabeth and the Report of the Committee thereon.

MS (DLC).

Samuel Holten's Diary

[August 4, 1779]

4th. Wednesday. By a vessel from Martinico we have an Acct. of the Count de Estang takg. the Granadis, & giting the better of Adml. Byron, &c, &c, but it wants confirmation.¹

MS (MDaAr).

¹ See William Whipple to Josiah Bartlett, August 3, 1779, note 3.

Gouverneur Morris to Thomas Johnson

Sir,

Philaa. 4th. Augt. 1779.

I had done myself the Honor of Writing to you some considerable Time since¹ requesting your Excellency to forward the Flour in your State to the Amount of 5,000 Blls. to Wm. Smith Esqr. of Baltimore. As I have not received an Answer to that Letter I am very apprehensive that it must somehow or other have miscarried which is not a very uncommon Circumstance. Permit me Sir again to reiterate this Request with the following Observations. That if the Flour had been early sent off some of it would in all Probability have been early sent on to this Place agreeable to the Arrangements made for that Purpose with the Consul of France. That the Situation of the Army at present requires immediate Supplies and consequently that some Injury may arise from any unnecessary Delays at present. In addition to my former Request then permit me Sir to intreat that if all the Flour is not already sent on to Baltimore 1000 or 1500 Barrils may go directly to the Head of Elk.

I have the Honor to be Sir, with the greatest Respect, your Excellency's most obedt. & humble Servant, Gouv. Morris

RC (MdAA: Red Books).

¹ For Morris' July 13 letter to Johnson, see Morris to John Chaloner and James White, July 13, 1779, note.

Thomas Burke's Draft Report

[August 5? 1779]¹

In the Event of a Continuance of the War and an Alliance with Spain, your Committee are of Opinion that the Minister of these united States at the Court of Madrid ought to be Instructed to Obtain from the said Court a Subsidy on the following Stipulations.

That *Spain* his Catholic Majesty shall pay to the united States in such Convinient manner as shall be agreed on a Sum not less than yearly during the Continuance of the present War between the united States and Great Britain, and for a Term of not less than years after the determination thereof.

That in Consideration of the said Subsidy the united States Shall keep in readiness a well appointed Force not exceeding Six thousand Effective Infantry, with all Camp, and marching requisites, with Suitable Arms, Artillery and other Equipments for War, to be employed in conquering the Floridas.

That the said Countries when Conquered shall be ceded to his Catholic Majesty and the possession and Sovereignty thereof forever guaranteed by the united States reserving always the Free Navigation of the River Mississippi to the subjects of the united States as well as to the subjects of his Catholic Majesty if possible in the fullest Extent of egress and Ingress—but if this cannot be admitted at least reserving a free port for the delivery and sale, purchase and loading of all Commodities—excepting such articles as shall be particularly enumerated.

Your Committee are also of Opinion that the Ministers of these united States be instructed and empowered to Stipulate and Contract for the delivery of Masts for the Royal Navy of Spain at some Convenient port or ports of the united States.

MS (PHi: North Carolina Manuscripts). In the hand of Thomas Burke.

¹ On February 17, 1779, Burke had been appointed to a committee, consisting of himself, Samuel Adams, Gouverneur Morris, Meriwether Smith, and John Witherpoon, that had been instructed to consider American peace demands. *JCC*, 13:194–95. After months of debate on various aspects of the ultimata, Congress began in August to take greater interest in the consequences of Spanish intervention in the war. This day Congress apparently considered some version of Burke's draft report on instructions for "the Minister of these united States at the Court of Madrid" and resolved that "so much of the said report as relates to the obtaining a subsidy from Spain be postponed." *JCC*, 14:924. And indeed, when the committee submitted three reports on August 14 containing its instructions for negotiating treaties of peace, and of amity and commerce, and for the minister to the French court, it postponed a fourth report containing instructions for the minister at the Spanish court because Congress had not reached "the final determinations . . . upon that subject." *JCC*, 14:955–56. Burke had delayed his departure until the committee made its presentation on the 14th, but left for North Carolina shortly thereafter, for which see North Carolina Delegates to Richard Caswell, this date, note 2. He later reported to the North Carolina assembly that "no conclusive resolutions were entered into relative to the proposed alliance with Spain, while any of your Delegates who have now the honor of informing the assembly remained in Congress." See Burke to the North Carolina Assembly, October 25, 1779.

For information on the reopening of the debate on instructions for the minister to Spain, see both John Dickinson's Notes and Henry Laurens' Notes, September 9–17, 1779.

Congressional proceedings concerning instructions for a minister to Spain were also closely followed by the Spanish agent to the United States, Juan de Miralles, who sent the following report to José de Gálvez, Minister of the Indies in Madrid, at about this time.

"Just today," he wrote on August 10, 1779, "I have been informed that the Congress has decided upon the points that were pending in order to put into final form the instructions to be given to the plenipotentiary whom they will send to the Court of the King our Sire and to the plenipotentiary who will represent them in the negotiation of a peace treaty with England. One point is that no peace treaty will be made without the concurrence and consent of the Courts of France and Spain; another is that cod fishing will not be discussed (because they will wait to negotiate this in a separate treaty); and another point is that the territory of the Illinois and the rest which they have conquered in the interior of the province of Mississippi will be ceded to Spain, as will the provinces of Florida and Panzacola, which they will help to conquer, and they renounce their claim of free entrance into the ports of those provinces and into the Mississippi River." *Indiferente General*, Legajo 1606, Archivo

General de Indias, Seville (Aileen Moore Topping translation, Manuscript Division, DLC).

John Fell's Diary

Thursday 5th Augst. [1779]

Coml Committee. Congress. Some dispatches were read and the order of the day on the Ministers Memorial relating to Mr Holker. PM Marine Committee.

MS (DLC).

Samuel Holten's Diary

[August 5, 1779]

5. Thursday. We have a confirmation of the Count de Estaing's defeating Adml Byron, and taking Granada; great news if true.¹

MS (MDaAr).

¹ Holten may have been referring to the "Extracts of a letter from a gentleman of St. Eustatia, dated 21st July, brought by Capt. Earl, who arrived here yesterday afternoon, in a passage of eleven days," which were printed in the *Pennsylvania Packet*, August 5 and August 10, 1779. See also William Whipple to Josiah Bartlett, August 3, 1779, note 3.

John Jay to Conrad Alexandre Gérard

Sir, Philadelphia 5th Augt. 1779.

Congress by their Act of the 4th Inst. (of which I have the honor of transmitting you the enclosed Copy) have in Justice to Mr. Holker declared that they entertain no suspicion of his having any participation in, or knowledge of the Shipping of Provisions on private Account on Board of Vessels dispatched in the name of his most Christian Majesty.¹

As that Gentleman's conduct & Deportment have in my Opinion justly entitled him to the Esteem of his Country, I am happy to see him delivered from Imputations which I am persuaded he never merited.

I have the honor to be Sir, With great Respect & Esteem, Your most Obedient & very Hble Servt.

LB (DNA: PCC, item 14).

¹ *JCC*, 14:919. This resolution clearing Jean Holker of suspicion of shipping provisions "on private account" was adopted in response to a memorial submitted by Gérard on July 26, one of three he submitted on that date, requesting Congress to procure

for Holker "justice and satisfaction for the attacks publicly made on his honor and reputation." See Wharton, *Diplomatic Correspondence*, 3:259; and Jay to Gérard, July 30, and August 3, 1779.

John Jay to Joseph Reed

Gentlemen,

Philadelphia 5th Augt. 1779.

I have the honor of transmitting to You herewith enclosed a Copy of an Act of Congress of the 2nd Inst, providing among other things that any Prosecutions which it may be expedient to direct for such matters & things in the Publications or transactions therein referred to, as may be against the Laws of Nations, shall be carried on at the Expence of the United States.¹

I have the honor to be Gentlemen, With great Respect & Esteem,
Your most Obedt. & very Hble Servant

LB (DNA: PCC, item 14).

¹ *JCC*, 14:914. In declaring its satisfaction with the conduct of Jean Holker, who had been under popular attack in Pennsylvania for contributing to the scarcity and high price of flour, Congress had simultaneously left the door open to "any prosecutions which [Pennsylvania] may deem expedient to direct" against Holker's tormenters. Recognizing immediately, however, that in this instance Congress had exceeded the bounds of good judgment, Gérard moved quickly to forestall implementation of the resolve, requesting in a letter to Congress of this same date that the resolution not be carried into execution, as the "king's greatness of mind forbids his minister to insist upon such a measure." "Between nations closely connected by the most powerful motives of friendship and interest," he went on to suggest diplomatically, "even the most lawful reparations ought always to stop short of revenge." Wharton, *Diplomatic Correspondence*, 3:287; and PCC, item 94, fols. 373–76. For the developments that had led Congress to adopt this ill-advised resolve, see Jay to Conrad Alexandre Gérard, August 3, 1779.

John Jay to Caesar Rodney

Sir,

Philadelphia 5th Augt. 1779.

I have the honor of transmitting to You, herewith enclosed, a copy of an Act of Congress of the 3rd Inst, discharging Thomas White from his parole¹—and am with great Respect—Your Excellency's most Obedt. Servant.

LB (DNA: PCC, item 14).

¹ President Rodney had raised the issue of releasing Thomas White from his parole in a letter to John Dickinson in April. White, a former Delaware judge, had been seized by Continental authority in March 1778 for "Correspondence with the Enemy," but apparently no specific charges were brought against him. See *JCC*, 14:917; John Dickinson to Rodney, May 10, 1779, note 4; and these *Letters*, 9:336–37, 418, 520–22.

North Carolina Delegates to Richard Caswell

Sir

Philadelphia August 5th 1779

This accompanies the money, granted upon your draught in Consequence of the Resolution of the Assembly, which you were advised of in our last.¹ We hope it will get Safe to hand, and give you Such timely aid as will facilitate your Operations.

Inclosed is an Order, drawn by Mr Burke on Mr. Titus Ogden of Newbern, for eight thousand dollars, advanced to him, when he arrived in this City, after his capture by the enemy. Mr Burke requests that you cause application to be made for payment, and that the Sum may be applied to public uses.

Mr Penn and Mr Burke will Set off for home in a few days; they are delay'd by some important affairs which have been Sometime before Congress, and are now drawing to a Conclusion. Their presence is deemed Necessary until a period be put to them.²

Inclosed is a Newspaper of this date, which contains some important Intelligence from the West Indies.³ We Congratulate you thereon, and on the improving brightness of our prospects. These, and all other Successes, afford us additional pleasure, from the Consideration, that they will hasten a disposition in our Enemies for peace, which is so very desireable to every part of this Continent.

We have the honor to be, Your Excellency's most Obedt. Servants.

Cornl. Harnett John Penn

Thos. Burke Joseph Hewes

Wm. Sharpe⁴

Augst. 11th. 1779. P.S. The money not being ready So early as we expected, this letter could not proceed agreeable to the first date. The delay has however given us an Opportunity of inclosing a paper of this date which Contains advices of great moment,⁵ besides the more particular detail of the Successes of our Allies in the West Indies. We mean what relates to the movements of France & Spain, the latter particularly. We have received it in Congress through an authentic Channel, and we are disposed to give Credit thereto, tho' not altogether without Hestitation.

RC (CCamarSJ): Doheny Collection). Written by Harnett and signed by Harnett, Burke, Hewes, Penn, and Sharpe.

¹ See North Carolina Delegates to Caswell, July 15, 1779.

² The "important affairs" that occupied Thomas Burke and John Penn for another two weeks were undoubtedly the ultimata on the fisheries and the navigation of the Mississippi which were temporarily resolved on August 14 in the compromise instructions to the ministers to negotiate a peace treaty and a treaty of amity and commerce with Great Britain. See Burke's Draft Report, this date, note. Soon after his final vote on that day, Burke departed for North Carolina, apparently without requesting official leave. Penn, however, obtained leave of absence on August 17. *JCC*, 14: 955–67, 972. For the summary report on congressional affairs from January to August that

Burke made to the state assembly two months later in behalf of himself, Penn, and Whitmell Hill, see Burke to the North Carolina Assembly, October 25, 1779. Burke subsequently returned to Congress on December 8; Penn on December 14. *JCC*, 15:1360, 1374.

³ See Samuel Holten's Diary, this date.

⁴ The next day, Sharpe also sent Caswell a copy of the *Pennsylvania Evening Post* under cover of the following brief note of explanation.

"The history of mankind does not produce a greater instance of discipline and cool bravery than that displayed by Genl. Wayne, and the Troops under his command in their descent on Stoney Point, the particulars of which is in one of the enclosed papers.

"The Evening Post, enclosed will afford you some entertainment in a leisure hour." Governors' Letter Books, 2:130, Nc-Ar.

⁵ Undoubtedly the August 11 issue of the *Pennsylvania Gazette*. See James Lovell to Abigail Adams, August 9, 1779, note 5.

John Collins To Horatio Gates

Dear Sir.

Philadelphia August the 6th. 1779

You will undoubtedly before you receive these have heard of the Action on the 26th of July between the French & English fleets in the West Indies and that the latter has had a severe drubbing, and bore a Way for St. Christophers. We are informd that on the 22d the french fleet Consisting of 40 Sail appeared off that Island. I have great hopes we Shall Soone have an official account that the whole British fleet are taken, destroyed, or obliged to bair a way for Jamica—and I make no doubt but one or the other will be the Case, and as it is now Harricane months, we may depend on part of the french fleet soon on our Coast. Except, the Count pursues his Conquest down to Jamaica, I flater my self the Honour of takeing Rhode Island will fall to your shair.

As soon as we have any Certain Accounts of the French fleet Comeing this way, I shall leave this City and come and joine you. I have made two Rhode Island Campains and hope soon to be on the third.¹ My best Respects to you Ladey. I am with Regard your Humble Servant,

John Collins.

RC (NHi: Gates Papers).

¹ Although Collins was mistaken about the need for a third Rhode Island campaign, he correctly predicted that the appearance of a French fleet on the American coast would lead to the "taking Rhode Island." Gen. Henry Clinton ordered the evacuation of the British forces at Newport in October.

John Fell's Diary

Friday 6th Augst. [1779]

Coml Committee. Congress. Memorial from the Commissioners of the Treasury.¹ Report to allow the Commissioners abroad 500

Sterlg. per Annum and their Expences.² Motion for Silas Deane Esqr to be dischargd from any further attendance on Congress and to settle his Accounts,³ & to be allowd for his Expences 3 Months after his Recall.

Marine Committee.

MS (DLC).

¹ This memorial, dated August 6 and signed by William Geddes, William Govett, Joseph Nourse, Resolve Smith, and Robert Troup, expressed concern over the "dangerous Consequences" that would flow from the annual election of Treasury officers provided for in the ordinance passed by Congress on July 30. See *JCC*, 14: 903–8, 927; and *PCC*, item 41, 3:453–56. Although the memorial was to be considered on "Monday next," August 9, it appears no action was ever taken.

² The precise wording in the resolve is "11,428 tournois per annum, . . . besides their reasonable expences." *JCC*, 14:928.

³ During the maneuvers that preceded the adoption of this motion, Congress substituted the word "discharged" for "excused" in the original motion, and then deleted the entire following clause: "in order that he may settle his accounts without delay." *JCC*, 14:929–30. In his diary entry for this day, Samuel Holten simply noted that "Congress dismissed the Honl. Mr. Deane from Attending any further on congress." *MDaAr*.

This decision was transmitted to Deane in the following cryptic August 7 letter from President Jay. "I have the honor of transmitting to you herewith enclosed, a copy of an Act of Congress of the 6th Inst, ascertaining the allowance to be made to their Commissioners in Europe, & for other purposes mentioned in it." *PCC*, item 14, fol. 164.

John Jay to Horatio Gates

Sir, Philadelphia 6th Augt. 1779.

On the 4th Inst I had the honor to receive Your Favor of the 25th Ult. with the several Papers Therein referred to. They were the same day laid before Congress who referred them to the Board of war.¹ As no Report has yet been made on the Subject of them, & your Express sets out this morning, I must defer giving You a more particular answer to a future opportunity.

I have the Honor to be Sir, Your most obedient & hble Servt.

John Jay, Presidt

RC (NHi: Gates Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ *JCC*, 14:919. Gates' July 25 letter to Congress and 14 enclosures pertaining to intelligence of British deployment and movements in Long Island Sound and New England are in *PCC*, item 154, 2:140–89.

John Jay to George Washington

Sir, Philadelphia 6th August 1779.¹

Your Favors of the 29th July & 2nd Inst have been delivered to

me.² The Papers herewith enclosed, are a copy of the Act of the 8th of March mentioned in Your Excellency's Letter of the 29th Ultio. and a Report of the Board of War recommending that Captain Wilkie's Company of Coll. Spencer's Regiment be annexed to the 11th Pennsylvania Regiment. Congress desire your Excellency's Opinion on the Propriety of this measure.³

I have the honor to be, With the greatest Respect & Esteem, Your Excellency's Most Obedient Servant, John Jay, Presidt.

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ When Jay's secretary copied this letter into the presidential letterbook, he dated it "7th Augt. 1779." PCC, item 14, fol. 165.

² Washington actually wrote two letters to President Jay dated July 29, 1779, which were read in Congress on August 3 and 4. *JCC*, 14:916, 919. These are in PCC, item 152, 7:451–58, and Washington, *Writings* (Fitzpatrick), 16:4–6. His August 2 letter, enclosing intelligence from New York from the American spy Samuel Culper, Jr. [i.e., Robert Townsend], is not in PCC, but it has been printed in *ibid.* p. 35, from the draft in the Washington Papers, DLC. The information from Culper that Washington sent to Jay has not been found, but Culper's July 29 letter to Washington, from which the report to Jay was extracted, is in the Washington Papers. The three passages in Culper's letter enclosed in brackets—concerning the British vessels *Romulus*, *Daphne*, *Delaware*, and *Blonde*, and the preparation of troops presumed to be "intended for Carolina"—are undoubtedly those that were copied for transmission to Congress. Jay presented this intelligence to Congress on August 7 and it was referred to "the standing committee appointed to correspond with the commanding officer in South Carolina." *JCC*, 14:934. For a lengthy discussion of the intelligence contributions of the "Culper Ring" in and around New York City, in which Robert Townsend played a key role at this time, see Corey Ford, *A Peculiar Service* (Boston: Little Brown and Co., 1965), pp. 148–308, especially p. 195.

³ Washington's August 16 response to Jay is in PCC item 152, 7:585–88, and Washington, *Writings* (Fitzpatrick), 16:112–13.

James Lovell to Benjamin Franklin

Honble. Sir

Philadelphia Aug. 6. 1779

Your favor of July 22d 1778,¹ forwarded from Nantes by Mr. Williams the 25th of February this Year, arrived not here till the 31st of July. I wonder the more that so very few of yr. letters reach Philada. in the Course of a Year as Mr. Dumas finds means to convey a series above the Numbers of the Alphabet in the same term of time, and is also in continual Correspondence wth. you.

It is needless at this Season to take up the different Parts of your long letter, for which I feel myself, however, obliged to you: But, I cannot omit to notice that you are totally mistaken as to "partial Objections" having been before Congress at the time of their dissent to the 11th & 12th articles. It is true that, since that period, much has been read from the Persons you suppose to have written on that subject.

You will long e'er now have seen the Use which has been made of my letter to you respecting Mr. Deane's Recall.² I at least made a Show of a Disposition to befriend him. I really had such a Disposition; and, early on his arrival, let him know what had grounded that Proceeding of Congress, in hope that he would not be driven by a false Jealousy, which he discovered, so as to suffer Wreck upon the Quick sands of Indiscretion. All my Aim was in vain; He has been borne headlong. His publication of Decr. 5th has, in my opinion, totally ruined his claims to any public trust on the ground of his Hability in Affairs. And, however you may not discover the great Malignity of his Innuendoes, you cannot but see & own that his Peice contains dow[n]right Lies which must be pointed out to the Public, who have not yet your good Grounds for Conviction.

There is not a single Circumstance which is mentioned against Mr. Lee that is supported, except his not having the Confidence of the french Court. The Ministers must have been Angels of Light not to have conceived Prejudices in Consequence of the indefatigable Arts of one who thought himself *saddled* when a Colleague of Sense, Honor and Integrity was given to him by Congress. The Ministry were misled but, the Consequence does not follow that, therefore, Congress should destroy an able & faithful Servant. What slippery Ground would this make for our Ministers abroad? Will there not probably be ambitious Men always in Congress to trip them? But I drop the disagreeable Subject and go to the pleasing Office of assuring you of the Attachment with which I am, Honorable Sir, Your most humble Servant,

James Lovell

RC (PPAmP: Franklin Papers). RC (PU: Franklin Papers). Endorsed by Lovell: "(3plicate) private."

¹ For this long-delayed letter complimenting Silas Deane and favoring the appointment of a single commissioner in France, see Lovell to Richard Henry Lee, July 31, note 7; and Lovell to Samuel Adams, August 3, 1779.

² For Lovell's May 15, 1778, letter on "Deane's Recall," see these *Letters*, 9:676–77.

James Lovell to Arthur Lee

Dear Sir,

(Private) Philada. Aug. 6th 1779

The Originals, duplicates *or* triplicates of all you wish to have reached us, I believe, have safely arrived, and you may depend on a diligent use of them.¹ It was unfortunate that we were not favored with many of them before Henry, Francis² & S Adams left this Stage of their Exertions for their Country & for Virtue in general. However, I shall think this Circumstance a fresh Call upon *My Industry*, a Quality wch. is an Object of the hatred of *your* Foes who have found themselves long ago mine in consequence. I own no first in that Quality except Mr. Laurens who wants no Spur but the simple Knowl-

edge of Injuries done to the worthy to make him enter directly upon their Defence.

I have urged an hundred Times what you have at length quoted to me from Whitlock.³ But there is really no such thing as a *Com'tee.* of foreign Affairs existing—no Secretary or Clerk—further than that I persevere to be one & the other. The Books & Papers of that extinguished Body lay yet on the Table of Congress, or rather are locked up in the Secretary's private Box. There was a Motion as I have before told you to chuse a *new* Comtee. The House would not so insult *me.* An Indifference then took place as to *filling it up* upon presumption I suppose that a little Leaven leaveneth the whole Lump. It would be impossible that you could have Enemies in a Comtee. where was one so to arrange Vouchers of yr. Industry, Capacity & Honor as it is thought I am able to do.

The State of Mr. D——⁴ is exactly the Reverse of what Letters have announced in France. But I will give you one or two Copies of the Scraps which have been made use of here to prove the only point on which yr. Enemies finally rested, and which is now the only possible ground of hope to them of overcoming yr. Views for the public Good.

Nothing has appear'd here that will *prove* a *direct* Patronage and Assistance of yr. inveterate foe, from that Quarter which you name in one of yr. Letters to Frank or Richd.; but every thing short of that has taken place; you will not think I am a meer "*Innuendo Man,*" as R Hy⁵ calls D——, after you get the Copies above mentioned.

How do you reconcile the Conduct of Congress on June 5th respecting De Francys Business⁶ with the Ideas of the *total* Extinction of joint Powers in the Commissioners for *special* Purposes *after* the appointment of the Minister Plenipotentiary for *general* Concerns?

The List you give of Letters written on & before the 5th of Decr. last, differing from one now before me, of Receipts, I give it that you may see you have not sent a list of all we have recd. nor have we recd. all you have registered.

1778	Jany.	5, 6, 15, 31
	Feb.	10, 15, 28
	Apr.	1, 2, 4, 8.
	June	1, 5, 15/17
	July	16.
	Aug.	7, 11, 21, 27, 31.
	Sepr.	9, 30
	Octr.	5, 19/Nov 29
	Nov.	4, 15/18, 20
	Dec	5.
1779	Jan	5/28, 15, 20
	Mar	7
	Apr.	6

Adieu & prosper,
JL

Izard Jan 18
Mar. 4.

RC (MH-H: Lee Family Papers).

¹ Lovell's role in defending Lee, and his activities on related questions of foreign affairs, are discussed at length in Helen F. Jones, "James Lovell in the Continental Congress, 1777-1782" (Ph.D. diss., Columbia University, 1968), chaps. 4-5.

² That is, Richard Henry Lee and Francis Lightfoot Lee.

³ See Lovell to Arthur Lee, July 17, 1779, note 3.

⁴ Silas Deane.

⁵ Richard Henry Lee.

⁶ For these measures adopted by Congress on June 5 to ensure payment of Caron de Beaumarchais' account, see *JCC*, 14:690-93; and John Jay to Benjamin Franklin, June 18, 1779, note.

John Fell's Diary

Saturday Augst. 7th [1779]

Coml Committee. Congress. Motions, amendments and long debate about instructions and an ultimatom.

MS (DLC).

Samuel Holten's Diary

[August 7, 1779]

7. Saturday. Congress recd. a letter from Genl. Washington, informing of the enemies moving down the north River.¹

MS (MDaAr).

¹ See John Jay to Washington, August 6, 1779, note 2.

John Jay to George Washington

Sir, Philadelphia 8th Augt. 1779.

Herewith enclosed is a copy of a Letter from Coll. Simmes respecting leave of Absence. Congress refer this Request to Your Excellency. The Colonel will be the Bearer of this Letter, & will more fully explain the reason of his applying to Congress in the first Instance.¹

I have the honor to be, With great Respect & Esteem, Your Excellency's Most Obedt. Servant.

LB (DNA: PCC, item 14).

¹ Lt. Col. Charles Simms of the 2d Virginia Regiment had appealed to Congress for a leave of absence in order to return to Virginia to protect his title to a large tract of land "on the Waters of the Ohio." See *JCC*, 14:933; and PCC, item 78, 20:447-50. For the result of Simms' appeal, see Jay to Thomas Jefferson, September 6, 1779.

Committee on Appeals Decree

John Bradford &c &c Lib[ellan]ts & App[ell]ees ad[versu]s George Wait Babcock Claim[an]t & App[ellan]t	}	August 9th 1779 Appeal for the Court of Admiralty of the State of Massachusetts Bay ¹
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We the Commissioners appointed by the honorable Congress to hear, try and determine all Appeals from the several Courts of Admiralty of the United States of America having heard and fully considered all and singular the Matters and Things contained and set forth in the Record or Minutes of the Proceedings of the Court of Admiralty of the Southern District of the State of Massachusetts Bay and the Argument of the Advocate on the part of the Appellees in the above Cause and no person appearing on the part of the Appellant in the said Cause do thereupon adjudge and decree that the Appeal of the said George Wait Babcock on behalf of himself and others in the said Appeal named be dismissed with Costs and that the Judgment or Sentence of the Court of Admiralty aforesaid pronounced and published in the said Cause be in all its parts confirmed and established And We do order and decree that the said George Wait Babcock pay unto the said John Bradford and others appellees [in] the above Cause three hundred and ninety Dollars for their Costs and Charges by them expended in supporting and sustaining the Sentence of the Court of Admiralty aforesaid against the said Appeal &c.

Thos M:Kean

Wm. Hy. Drayton

Edmund Randolph

MS (DNA: RG 267, case no. 47). In a clerical hand and signed by Drayton and McKean.

¹ At issue in this case was the ship *Nancy*, which had left Cork, Ireland, with the British fleet and was captured on November 11, 1778, by Capt. George Wait Babcock, only to be recaptured three weeks later by the British. On January 5, 1779, Capt. John Peck Rathbun of the Continental sloop *Providence*, seized the *Nancy* once again, however, thus setting the stage for Babcock's claim that he was entitled to one-half the prize. The Massachusetts Court of Admiralty awarded the *Nancy* and her cargo to Rathbun and his crew and to John Bradford who represented the Eastern Navy Board. Babcock thereupon appealed Judge Nathan Cushing's decision to Congress, which assigned the case to the Committee on Appeals on May 12, 1779. In this decree the committee affirmed the Massachusetts court's decision and ordered Babcock to pay \$390 in fees and costs to Bradford and the other appellees. See *JCC*, 14:579; and case file no. 47, RG 267, DNA.

John Fell's Diary

[August 9–10, 1779]

Monday. August 9th. Coml. Committee. Congress. A New Plan for borrowing Millions on Loan 8 D[ollar]s for 5 L[ivre]s debated & adjourned.¹

Tuesday the 10th. Coml. Committee. Congress. Some dispatches, motions, and debates. PM Marine Committee.

MS (DLC).

¹ This “new plan” for borrowing “25,000,000 Livres Tournois” in bills of exchange drawn on the American commissioners in Paris had been proposed by Elbridge Gerry on July 23 and referred to a committee of five, chaired by Gerry, which reported on July 30. Although the proposal was considered this day and again on August 27 and 28, it appears thereafter to have been merged with general considerations of finance in Congress. Although Fell indicates here that the plan proposed exchanging dollars for livres at a rate of eight for five, the exchange rate was left blank in the report submitted by the committee. See *JCC*, 14:882, 900–903, 940, 1005.

James Lovell to Abigail Adams

Aug. 9th. [1779]

Indeed, my lovely anxious Friend, you lead me to doubt whether Mr. A—— is really on the Water.¹ The Report of the Alliance being in Concert with a 40 Gun Ship on a secret Expedition tallies with Something of which I am certain. A Man of War of that Size has been given up to the “Direction” of John Paul Jones, and the Name has been changed to “Poor Richard” that it may not appear to belong to the *french* Marine. Our Commissioners have moreover certified under their Hands to Jones that he is *still* in the *American* Navy, tho’ he had quitted it some time ago for that of France, but did not give up his Commission. I formed my Conjectures upon first receiving that Intelligence, and your Anecdote confirms me therein so far as that I expect soon to hear of *blazing* Retaliation.

And has not that very philosophic Politician² been yet to see you? I shall grow highly disgusted at my public Employment if its certain or even natural Tendency is to make me insensible of “the thousand nameless Anxieties that distress the tender hearts of your Sex” or inattentive to a proper Call to exert myself in relieving them.

My Letter³ in answer to a former one of yours is before this in your Hand and will convince you that the dreaded Callosity has not yet fixed upon my Heart. I have therein attempted, nor ought it to be in vain on such grounds, to give your Bosom Ease by directing you to repose it on that Assemblage of Merit which originates and finishes your Husband’s Conduct uniformly. Good as he was, when I first had the pleasure of knowing him, I do not recollect that he was *quite* such a Man as he now appears. Indeed, it was before his

Marriage. He did full credit to the *Books* he had studied. He now shows that it is more efficacious to read Virtue in a living Character.

Whether he is on his Way home or not, it may be a satisfaction to you to have the following copy.

In Congress Aug. 6. 1779.

Resolved That an Allowance Of eleven thousand four hundred & twenty eight Livres Tournois per Annum be made to the several Commissioners of the United States in Europe for their Services, besides their reasonable Expences respectively.

That the Salary as well as the Expences be computed from the Time of their leaving their places of abode to enter on their offices, and be continued three months after Notice of their Recall, to enable them to return to their families respectively.

That the several Commissioners, Commercial Agents & others in Europe entrusted with public Money be directed to transmit without delay their accts & Vouchers, and also triplicate Copies of the same to the Board of Treasury of these United States in order for Settlement.

Resolved That a suitable Person be appointed by Congress to examine the said Accounts in Europe & certify his Opinion thereon previous to their being transmitted.⁴

Extracted from the Minutes by JL

There is an authentic account that France⁵ has absolutely refused the Mediation of Spain; and that the latter would declare herself speedily after the 20th of June.

That the Count D'Orvilliers *had* sail'd towards Corunna with 30 Ships of the Line where he was to be joined by 20 spanish.

25,000 Troops are ready on the Coast of France for a Descent on Ireland.

With respectful Tenderness, your humb. Servt., JL

RC (MHi: Adams Family Papers). Adams, *Family Correspondence* (Butterfield), 3:219–20.

¹ Unbeknown to Lovell, John Adams had arrived in Massachusetts on August 2.

² That is, Samuel Adams.

³ See Lovell to Abigail Adams, July 19, 1779.

⁴ For the settlement of John Adams' accounts for his first overseas mission, see Adams, *Family Correspondence* (Butterfield), 3:220–22n.2.

⁵ Lovell undoubtedly meant to write Britain rather than "France." Since this "authentic account" was contained in a July 20–22 letter from William Bingham that arrived in Philadelphia aboard the brig *Achilles* the morning of August 10, Lovell probably added this concluding section of his letter on the 10th. See PCC, item 90, fols. 168–71; JCC, 14:942; and William Fleming to Thomas Jefferson, August 10, 1779, note 3. News from Bingham's letters was printed in the *Pennsylvania Gazette*, August 11, and the *Pennsylvania Packet*, August 12.

For additional information on Spain's entrance into the war, and the allies' disappointment in the failure of the combined Franco-Spanish fleet to inflict decisive damage on Britain, see Jonathan R. Dull, *The French Navy and American Independence* (Princeton: Princeton University Press, 1975), pp. 136–58; and Orville T. Murphy, *Charles Gravier, Comte de Vergennes: French Diplomacy in the Age of Revolution, 1719–1787* (Albany: State University of New York Press, 1982), chap. 21.

James Lovell to Horatio Gates

Dear General

Philada Aug. 9. 1779

I thought my Townsman Mr. Sumner would have called on me at my Lodgings before he left this City, so far as at least to let me send the inclosed Journal and my sincere Respects; but he neglected me; And, now I have neither Health, Spirit or Leisure to say much, having worn myself down about foreign affairs in the Capacity of Committee Secretary & Clerk, all in one, and two Vessels offering themselves together. Besides This, I think it my Duty to stand *Rowland* for Arthur,¹ having very full & sufficient Materials in Possession to prove the assassinating malignity with which he has been treated. I am satisfied that he will make a most staunch Negociator for us whenever Peace shall be in Prospect. And if D'Estaing has gained what the Gazettes tell, Peace cannot be a year off.

I never have had one single Moments *real Hope* of Success at Penobscot. I have now a *Dread* about that Expedition. I wish I was where I could a viva voix give you the History of the Election of a Cloathier General: it was a curious Affair.² I pray God to put *you* upon some Concert with D'Estaing either regarding Rh. Island or Nova Scotia. What shall I do with my Tribe if you cannot gain me a quiet habitation up the Bay of Fundy?

Adieu & Prosper even to the full Wishes of your Friend & obliged humb. Servant.

James Lovell

RC (NHi: Gates Papers).

¹ That is, for Arthur Lee. For Richard Henry Lee's use of the pseudonym "Rowland" in defending his brother Arthur, see Lovell to Richard Henry Lee, August 17, 1779, note 3.

² After two officers named to the position refused to accept the post, Gates' nemesis James Wilkinson was appointed clothier general on July 24. See John Jay to Wilkinson, July 24, 1779.

Henry Marchant to Silas Talbot

Sir,

Philadelphia Augt. 9th. 1779

I recd. your agreeable Favor of the 13th of July, inclosing a Letter for the President; which I thought proper to deliver him altho' one very similar to it had been enclosed from Genl. Gates being one you had wrote to Him.¹ Your Exploits keep Congress constantly in remembrance of you. I have seen in others as well as felt in myself a singular Pleasure in the frequent mention of your Name. Your Letters were referred to the Marine Comee—And it is not want of Inclination that you have not a Command given to You either in the Land or Sea Service.² All the Land Forces are under certain Commanders which cannot with propriety be removed. We cannot create Men. Nor will Our Circumstances permit us to build Ships for those

Captains in the Navy who hang on Us for Command who are already in Our Pay, & who for want of Ships are eating the Bread of Idleness much against their own as well as Our Inclination. The Marine Comee. will however pay due Consideration to Your Letters & wishing as they do, to avail Themselves of Your Activity, Spirit, Bravery and Prudence, will do it, if in their Power. But I would not wish you to be unmindful of what has been done. Your Promotions have been rapid, Had you continued in a steady Command of Men you might perhaps have been only a Captn. Still. Congress could not without manifest Injury to Rule & Order, promote You & at the same Time give you immediate Command. Nor would You have had those Opportunities for Enterprize by which You have so much honored yourself & in some good Measure added to your Fortune; if You had been in steady Command at Camp.

Every Thing has been done for You proper for me to Ask, or Congress to grant, considering the Situation of our Affairs. Upon this last Occasion I did not fail to do myself the Pleasure of speaking to your Merits upon the Floor of Congress, nor of interesting myself in your Favour with the Marine Comee. where I can again assure you, you have no need of Advocates—Nor of any Thing but want of Men or Ships to meet with all the Gratification you could wish for. I would not wish to stand in your way, or dissuade you from a Pursuit of your Real Interest & Honor by an Acceptance of Private Employ—& quitting your Expectations in the Continental Road to Honor & Fortune.

But I would wish you well to Consider, before you quit a Service you have been honorably advanced in, & in which you still stand most Fair for further Accessions of Glory & Honor, and perhaps Fortune too. Genl. Gates is a Father to the Brave—take his Advice. I wish you to follow his Fortune.

If any Thing further should offer, or the marine Com. should find it in their Power to find you immediate Service—I shall inform You with great Pleasure, and shall [. . .]³ to escape [. . .] You contain [. . .] to merit the [. . .] Countrymen. Col Barton has also my like wishes, to whom pray present my Regards. I am your Friend & Servt,
Hy Marchant

RC (RHi: Talbot Papers). Addressed: "Lieut. Col. Silas Talbot, Headquarters, Providence, State of Rhode Island."

¹ See John Jay to Horatio Gates, July 30, 1779.

² In his letters to Congress delivered by Gates and Marchant, Lt. Col. Talbot had sought a naval commission and a suitable ship to command. While in temporary command of the 12-gun armed sloop *Argo*, Talbot had led several successful cruises climaxed by the recent capture of the 14-gun privateer brig *King George*, commanded by the notorious Rhode Island loyalist Stanton Hazard. The previous year he had led the boarding party that captured H.M. Schooner *Pigot*. As a result of these achievements, Congress on September 17 appointed Talbot a captain in the navy and directed the Marine Committee to find him a more suitable ship, but efforts to do so failed and Talbot returned to the command of the *Argo*, in which he remained even after it was

returned to private ownership in 1780. See *JCC*, 14:900, 924, 1008, 1075–76; William J. Morgan, *Captains to the Northward: The New England Captains in the American Revolution* (Barre, Mass.: Barre Publishing Co., 1959), pp. 179–81; these *Letters*, 11:223–24; Marchant to Horatio Gates, September 27; and Marine Committee to the Eastern Navy Board, October 12, 1779.

³ MS torn; two or three words missing here and at the following similarly marked passages.

John Collins to Horatio Gates

Dear Sir

Philadelphia August the 10th. 1779.

We have this day Received entilegence from Martainneco Conveyd to Mr. Bingham by the Governer of that Island,¹ that 32 Ships of War had Sailed from Brest to jone 20 Spanish Ships of the line of Coruna, and that twenty five thousand french trupes whare on the Sea Coast Ready to imbarck to Attack Irland—that England had Refused the mediation of Spain.

The action between the French And English Fleets of Granado was not so decisive as we wished from the first Accounts, the English fleet is at St. Cits much malled, and have left the Command of the Seas to the French—the Count was not goan to attack St. Cristophers as Reported.

On the whole it is very favorabl for us for we are well informed that three thousand troops had imbarcked from St. Lucia onboard their transports bound for Newyork—and we have athentick accounts that 6000 troops have Sailed from England bound to North America—on the whole it appears the Enemy designed to have made a Grand effort this Summer to given us a decisive blow. I hope their Cruel designs will prove Abortive. The 3000 men designed for Newyork will now be wanted to Cover St. Cits, and the french will take Care of their Conquests, and I dont Expect to See Rhode Island so Soon as I mentioned in my last but all in good time. I am with Great Regard yours,

John Collins

RC (NH: Gates Papers).

¹ See James Lovell to Abigail Adams, August 9, 1779, note 5.

William Fleming to Thomas Jefferson

Dr. Sr.

Philadelphia, 10th Augt. 1779.¹

I am this moment told by Colo. Melchoir that a young gentleman will set out in half an hour for Charlottesville. By him I have just time to acknowledge the receipt of your favor of the 22d of July,² for which please to accept my thanks.

I find by your observations on the fishery that that matter is not yet properly understood in Virginia, nor have I time at present

(were I at full liberty) to undertake the explanation of it—but this you may rely on, that there is not a state in the union, nor I believe, a member in Congress, that would relinquish the right; and Congress soon after I came here, passed a resolution (I believe unanimously) “that in no event should the common right of fishery be given up.” Your former observation on the subject was communicated only to one gentleman besides the Virginia delegates.

A vessel arriv’d here yesterday³ in 17 days from Martinique and brought letters from Mr. Bingham, continental agent at that port, dated 22d July advising that the day before a packet had arrived there in 31 days from France, with advice that the Spanish Minister at the court of France had declared his master ready to enter into a War with G. Britain, that court having refused the mediation of Spain—And that 32 Ships of the line had sailed from Brest to Corunna, where they were to be joined by 20 Spanish ships of the line & proceed immediately to make a descent on Ireland with 25,000 men. The particular regiments for that service with the commander of the expedition are named, but I do not recollect them. My compliments to Mrs. Jefferson—Adieu.

[P. S.] I have procured all the books you wrote for except Erasmus, which is not to be had in this place. They will be sent to Wmsburg. I shall remain here ’til the 15th of Sept.⁴ & hope to be favored with a letter by the gentleman who will be the bearer of this.

I enclose for your amusement Dunlap’s paper of yesterday which contains some important news, & much private Scandal.

RC (DLC: Jefferson Papers). In Fleming’s hand, though not signed. Jefferson, *Papers* (Boyd), 3:63–64.

¹ This letter was probably written on August 11, for which see note 3 below.

² Not found.

³ Since the brig *Achilles* bearing Bingham’s letter arrived in Philadelphia on August 10, it is clear that the following passages, if not the entire letter, were written on August 11. This is confirmed by Fleming’s closing reference to “Dunlap’s paper of yesterday,” which would have been the *Pennsylvania Packet* of August 10, no issue having appeared on the ninth. See also James Lovell to Abigail Adams, August 9, 1779, note 5.

⁴ In fact, Fleming applied for a leave of absence from Congress on September 28. *JCC*, 15:1115. In his expense account submitted to the Virginia assembly, Fleming claimed payment for attendance in Congress from April 28, 1779, to “the 28th of Sept. (inclusive).” On September 29 he received a final payment of \$652 from the sum appropriated from the Continental treasury for the use of the Virginia delegates. Brock Collection, CSmH. Fleming resigned his position in Congress on October 26. *Journal of the House of Delegates of the Commonwealth of Virginia* [October 4–December 24, 1779] (Richmond: Printed by T. White, 1827), p. 24.

Cyrus Griffin to Burgess Ball

Dear Burgess¹Philadelphia August 10th [1779]²

It is a fact that I fully intended to have kept up a correspondence with you; but how the negligence has happened really my Brain is at a loss to determine. After receiving the Letter by Colonel Morgan, and being roused from a lethargy I should have written you much earlier but most unfortunately an ugly sickness fell upon me, and now after fifteen days confinement to the Bed and house I am hardly able to say one word to my Friend. I thank you exceedingly for the kind sentiments upon the new delegation: the mem[bers] *continued* have discharged [their duty] with credit and fidelity, notwithstanding the Lee party in the Virginia assembly were strenuous of opposition to *Smith* and myself,³ and almost carried the point of exclusion. Had they carried such a point the mortification would have been great indeed when considered in that light, but the Individual benefit to our Families would have been as great on the other side; and truly I find it impossible to remain in Congress a long time; I am already some Thousand Dollars out of pocket; my constitution will not support excessive confinement; I only wish to see our brave army placed upon such a respectable footing as their uncommon [. . .] and Patriotism deserve—to see all [. . .] happily adjusted—and the currency of the united states in a fair way of appreciating: and then farewell to public Business eternally. I am shocked to hear your account of the Virginia Regiments; what a curse has been such abominable policy as Short Enlistments! Good Heaven what must be the feelings of a knowing and high-spirited officer in the situation you mention! Never a war was carried on upon such monstrous principles as the present. I am sorry the accountable depreciation of the paper Money has obliged the army to adopt the regulating plan, because certainly if any set of Men are entitled to live in a more splen[did] manner than others it must b[e those who] undergo so much fatigue a[nd . . .] dangers in securing the freedom and happiness of the whole community. I am no great advocate for the custom of *duelling*; however if the Enemy will afford no amusement, and Gentlemen are tired of the world I shall not object to their shewing a bloody spirit the very moment before entrance into the holy presence. I do not think your reflections upon the *Dominion* quite apropos; the Inhabitants of Virginia are much scattered, and certainly it must take some time to collect; the Enemy were not generous enough to wait a competent time. Colonel Morgan⁴ is permitted to Virginia without resigning his comission; indeed we could not [permit] such a resignation: I wish some happy [. . .] may be found out for his great [. . . abili?]ties [. . .] upon; I am sorry he is unemployed, and still more sorry should he insist upon resignation. What a brilliant affair that of Stonypoint; it certainly does immortal honor to the wisdom of General Washington, and to the Judgment and Intrepid-

ity of General Wayne and all his command, and reflects no small lustre upon the whole of the American Army. The Success of Count de Estaing in the West Indies will probably give a great change in the allied affairs; in all likelihood necessity must compel the Enemy to order some thousand men from this continent, at least a different direction will be made for those who were coming to America; and what shall the people of England say when they [at last] understand that the pride of the Island the British navy have been fairly beaten by the French fleet; surely it will make no inconsiderable noise; the people of England depend totally upon their Navy, and are abundantly too Jealous and diffident of the land Forces. I suppose you know the Enemy are leveling all their works outside of King's Bridge; they are strongly fortifying York, Staten and Governor's Islands. Lord Cornwallis took the command on the first day of August. Sir H. Clinton and Governor Tryon are recalled. The sound fleet are returned to York. Sir George Collier sailed last week with eight ships to reinforce Byron. They say at York the English fleet were severely drubbed. The Enemy by so strongly fortifying stoney point in all probability means to evacuate *Verplanks*. The above Intelligence we have by a person of veracity just from York. I shall either write you or enclose the paper once a week; lately I have understood you seldom get any in camp. Your Brother is a most extraordinary Genius; many weeks ago a Gentleman from this City carried some articles of great value for Colo. Brachey &c. directed to the particular Attention of Armistead. I have written three letters⁵ upon that subject and other matters, and not a single line in answer. Make my best compliments to Gaskins; I hope the pleasure of seeing him upon his return to Virginia. Compliments of the Family wait of you. My Dear Sir, Your affect Friend and Servant.

C. Griffin

Paper enclosed.

[P. S.] By a vessel this morning from Martinico, the public have the following Intelligence; That *Spain* will *declare* in a little time; That Thirty sail of the French line were to rendezvous at Corunna, and join a Spanish Fleet of twenty one; these are to attempt, with twenty thousand men, a descent upon Ireland. That Count de Estaing had defeated British Fleet under Byron with the loss of 175 killed, and about 700 wounded, the Count could not bring all his Ships into action: That Byron escaped in the night understanding that French Admiral meant to renew the Engagement on the next morning. It is also said that *Tobago* is taken by the French.

C.G.

RC (DLC: Miscellaneous Manuscripts).

¹ Lt. Col. Burgess Ball (1749–1800), who had been transferred from the 9th to the 1st Virginia Regiment of Foot in September 1778 and was captured at Charleston in May 1780. E. M. Sanchez-Saavedra, *A Guide to Virginia Military Organizations in the American Revolution, 1775–1787* (Richmond: Virginia State Library, 1978), pp. 29, 32, 58.

² This day Congress received news of Spain's intention to enter the war and d'Estaing's naval victory at Grenada, the "Intelligence" to which Griffin refers in his postscript. For the arrival of this information, see James Lovell to Abigail Adams, August 9, 1779, note 5.

³ For the nature of this "opposition," see Meriwether Smith to Thomas Jefferson, July 6, 1779, note 2.

⁴ Col. Daniel Morgan, who had resigned his commission on July 18 when the command of a new light infantry corps that he coveted was given to Brig. Gen. Anthony Wayne. Rather than allow him to resign, however, Congress persuaded Morgan to accept a furlough until a new position could be found. See *JCC*, 14:854; *PCC*, item 78, 15:473–76; and Don Higginbotham, *Daniel Morgan, Revolutionary Rifleman* (Chapel Hill: University of North Carolina Press, 1961), pp. 95–99.

⁵ Not found.

John Jay to Conrad Alexandre Gérard

Sir Philadelphia 10 Augt. 1779

I have the honor of transmitting herewith enclosed a Copy of an Act of Congress of Yesterday, from which you will perceive that the Resolutions alluded to in your memorial of the 5th Inst. will be published in the Journals of Congress,¹ & that in the mean Time you will be pleased to consider yourself at Liberty to make such use of the Copies which I have had the Honor of transmitting to You, as you may think expedient.

With great Respect and Esteem, I have the Honor to be Sir, Your most obedt. and very h'ble Servt. John Jay. Presidt

RC (Archives du Ministère des affaires étrangères: Correspondance politique, États-Unis, Supplement, vol. 1).

¹ See *JCC*, 14:914–15, 940. In his "memorial of the 5th Inst.," Gérard had thanked Congress for its August 2 resolutions supporting Jean Holker and affirming its determination to "afford every countenance and protection to the consuls and other servants" of the king of France. Although averring satisfaction with these resolutions, he nevertheless went on to express his hope "that the public will be informed" of Congress' action in this case. In conceding to Gérard that "the resolutions alluded to" would be published in due course in their journals, Congress guaranteed the French minister a complete victory over Holker's accusers, a step apparently deemed necessary because of fear that America's enemies had already profited from the suspicions stirred up by Holker and because the imminent return of the French fleet required a display of solidarity and cooperation to ensure its adequate provisioning. For the immediate background of Gérard's August 5 "memorial" to Congress, see Jay to Gérard, August 3, 1779, note.

John Jay to Thomas Mifflin

Sir, Philadelphia 10th Augt. 1779.

You will receive, herewith enclosed, a copy of a memorial of Wm. Moore, & a number of vouchers to the Accounts mentioned in it,

together with a copy of an Act of Congress of the 6th Inst,¹ directing them to be transmitted to You for the purposes specified in it.

I have the honor to be Sir, With great Respect & Esteem, Your most Obedt. & Hble Servt.

LB (DNA: PCC, item 14).

¹ See *JCC*, 14:895, 927. By this resolve, former quartermaster general Mifflin was directed to compensate William Moore for horses taken from him during the winter of 1778 while the Continental Army was stationed at Valley Forge in the vicinity of Moore's residence, Moore Hall. Moore's petition seeking compensation for damages suffered at that time was of special interest to Congress, because Moore's home had been the residence of the Committee at Camp and the site of its deliberations with Washington and the army from January to March 1778. See PCC, item 78, 20:439–45; and the items indexed in volume 9 of these *Letters* under "Moore Hall."

John Jay to George Washington

Sir.

Philadelphia 10 Augt 1779

Herewith enclosed your Excellency will receive Extracts from a Letter which arrived this morning from Mr. Bingham.¹ The Intelligence contained in them is important as well as agreeable. I have the Honor to be, with perfect Esteem & Regard, Your Excellencys most obedt. Servt,

John Jay

RC (DLC: Washington Papers).

¹ The enclosed extracts from William Bingham's July 20–22 letter to Congress reported the failure of a French expedition against Grenada, the deployment of British forces in the West Indies and the embarkation of 6,000 reinforcements from England for America, French preparations for an attack on Ireland, and the imminence of a Spanish declaration of war in consequence of Britain's rejection of Spain's mediation offer. For the arrival of Bingham's letter in Philadelphia and Congress' dissemination of the intelligence contained in it, see James Lovell to Abigail Adams, August 9, 1779, note 5.

Henry Laurens to Richard Henry Lee

Dear Sir.

Philadelphia 10th August 1779.

My last trouble is dated the 3d Inst per post;¹ yesterday I was favored with yours of the 1st² accompanied by Copies of three Letters which I fear will be of very little use or service hereafter.

Congress as you will read in Dunlap's Paper of this date have "discharged Mr. Deane from any further attendance"³ this Resolution was effected at a time when I was unavoidably absent seeking for new apartments, being obliged to leave these I am in, the day after to morrow; I had previously, but without effect, objected to paying Mr. Deane any Money until he should have accounted for the Sums which he had received in Paris, & pointed particularly at

those Sums which he had received of Mr. de Beaumarchais & of Mr. Grand after he knew of his being superceded in Office & of the appointment of a Commissioner to succeed him, of which Mr. A Lee takes particular notice in his vindication—the amount of the former you are informed of, that of the latter is upward of £1700 Sterling including all his draughts on the Banker, I say without effect for no support was given to my motion, or so slender a one as not to bring on a question—I think nevertheless, I did my duty & that hereafter I shall be applauded.

Congress had determined that the Commissioners & other Agents should respectively adjust their accounts with a person to be appointed for that purpose in France, a measure which I was averse from, yet all things considered, it admitted much good reason in favor of it.¹ After this determination I was called out on the business above-mentioned—at my return, I found the Resolve for “discharging Mr. Deane from further attendance on Congress,” this, inasmuch as no provision is made for his Voyage to France nor for his expences there, leaves the adjustment of his accounts optional with him. You will see the Resolves in a few days extended in the printed Journals or perhaps in MS. by the next Post, at present I am in all that embarrassment which attends moving from one House to another & being called off by Committees &c. I began this Note at 6 this Morning ’tis now past eleven, I must fly to Congress where somewhat very Interesting is to be brought on the tapis, permit me therefore to take leave with repeated assurances of being with very great Esteem & Respect Dear sir, Your obliged & obedt. servt,

Henry Laurens

RC (MB: Chamberlain Collection).

¹ Not found.

² Lee’s August 1 letter is in the William Gilmore Simms Collection of Laurens Papers, no. 31, MHi microfilm; and Lee, *Letters* (Ballagh), 2:98–100. In it Lee acknowledged receipt of two letters from Laurens, dated July 16 and 20, which also have not been found.

³ See John Fell’s Diary, August 6, 1779, note 3.

⁴ On August 6 Congress had ordered that the “several commissioners, commercial agents and others in Europe entrusted with public money” submit their accounts and vouchers to the Board of Treasury and that a “suitable person be appointed by Congress to examine the said accounts in Europe, and certify his opinion thereon previous to their being transmitted.” *JCC*, 14:928–39. For the election of Joshua Johnson to this position, see John Fell’s Diary, September 29, 1779.

The prospect that Johnson might receive this appointment was immediately anticipated by Lee, and in his August 21 response to this letter from Laurens he voiced his opposition to Johnson. “The appointment of a person to settle the accounts in France may be a wise or a wicked measure as happens to be the person appointed for the purpose,” Lee explained. “Send a man from here vested with proper powers, and let him be skilful in business, firm, and of unimpeachable integrity—in no manner whatever concerned with any of the parties having accounts to settle . . . Observe if attempts are not made to have a Mr. Johnson Merchant in Nantes to settle these accounts. The very circumstance of his having been already proposed by Deane for this purpose is an argument why he ought not.” Lee, *Letters* (Ballagh), 2:131–32.

Francis Lewis to Robert R. Livingston

Dear Sir

Phila. 10th August 1779

I was yesterday favored with your letter of the 20th Ultimo. This moment a letter dated Martinique, 22d July from the Agent Mr. Bingham was read in Congress giving authentick information of the Battle between the Fleets of France & G.B. in those Seas in which the latter was defeted;¹ That G B. had refused the mendiation of Spain whereupon the Count de Oliveriez's fleet of thirty Ships of the line were saild for Corruna to join Twenty Spanish Ships of the line and with 25000 land forses make a descent upon Ireland. That 6000 Troops were actually saild from England for N. America as their last Effort.

In the Sea fight the French had 176 Men Killed, 764 wounded. The French Fleet keep the Seas Triumphant—The British take Shelter in St. Kitts.

The European News was brought by a French packet arrived at Martinique on the 22 ulto. with dispatches for Count de Estaing & the Governor.

If you have an opportunity please to communicate the foregoing to His Excellency the Governor & my Son Morgan.

Our family are all in health & join me in our regards to yourself, lady & family. As I write in Congress have not time to enlarge. I am,
Dr. Sir, your Most Obdt Servt. Fra. Lewis

RC (NHi: Robert Livingston Papers). Addressed: "The Honble. Robert Livingston Esquire, Chancellor for the State of New York at Clar Mount."

¹ See James Lovell to Abigail Adams, August 9, 1779, note 5.

Francis Lewis to Stephen Sayre

My Dear Sir

Philadelphia 10th August 1779

Your letter of the 21st Feby 1778 from Copenhagen via St. Croix is the only one I have received from you since the declaration of American Independence, about that time, I wrote you two several letters with duplicates for France, but so many of our dispatches being captured I much doubt whether any came to your hand.¹

By the different manœuvres of the British Troops, Congress has been obliged to change their places of residence, from hence to Baltimore, thence to this City, then to York Town and back again to this City where they now reside. When at Baltimore I urged your being appointed a Commissr. to one of the European States, but was answered by the Committee of Forreign Correspondence, that you were then Secretary to Mr. A. Lee's Embassy to the Court of Berlin,² and proved a barr to your being appointed at that time to another Department. Upon the return of Congress to Phila. in April 1777,

by a new appointment of Delegates for our State I was not in the nomination, and remained so 'till Decemr. of the same year when I was rechosen, and since that time have been Chairman of the Commercial Committee of Congress.

Your letter together with that from Mr. Frabitus (whose high Character I was well acquainted with when at Copenhagen) was laid before Congress,³ who are very sensible of the advantages that would accrew in a Commercial intercourse with Copenhagen, as several supplies of Russian manufactures might be obtained through that Channel, but we are at the same time apprehensive the Danish Court are too much influenced by that of G. B. to wink at such Commerce, tho' it may be advantageous to the Subject; But our greatest difficulty arrises from the mode of Establishing a fund, Rice, Tobbacco, & Indico, are now our principal articles for an European market, and of these we have considerable quantities, but our coasts have been so infested by the British Cruisers that scarsely one Vessell in three escape them, and unless we can establish a fund by loan from some European State, it will be impracticable for us under such circumstances to make payment with our produce, tho' we have more than sufficient in this Country to establish large funds in Europe, could we convey it with any prospect of safety.

France being now engaged in a War with G.B. we cannot expect a loan from thence, and I presume Holland is at present solicited by the Belligerent powers for money, a postcript to your letter hints a thought by Mr. Fabritius "that a loan of two or three million of Dollars might be negotiated at B——nt,⁴ and in case of one years punctual payment of the Interest, he is confident any sums may be had at a very low Interest."

Your scheme of sending out goods in Danish bottoms to St. Croix or St. Thomas is feasible, and where we could lodge Tobo., Indico &c to be returned in said ships for payment, but the Risque of Captures between this and the Islands is fully as great, however I shall urge Congress to make an attempt in one or the other mode, it will be therefore necessary that you and Mr. Fabritius inform me with the names of Agents in both Islands who may be appointed by you to receive such Effects; I would here observe that Russian manufactures, such as Canvas for our Navy, Brown Sheeting & Ravensduck for Tents, Brown & white Drillings for the Officers & soldiers—also 7/8 Hambro. Dowlas, & the best Ticklingbgs. from Hambro for soldiers shirts & Overalls, Cordage of all sizes, is always wanted.

At the Commencement of the present dispute with G. B. in order to pay our Armies &c, we were under the necessity of making large emissions of paper money, this our Enemies availed themselves of by counterfeiting many of those Bills to a considerable amount, which by their Emissaries were dispersed through the United States, adding thereby to the then more than necessary quantity for a circulat-

ing medium, so alarmed the fears of the people that it has rapidly depreciated the present value of our money. The emissions chiefly counterfeited were of May 1777 & April 1778 which by a resolution of Congress are called in, and the public at large convinced of its bad effects, now cheerfully submit to a heavy Taxation, so as to reduce the remainder to nearly its pristine value; Had taxation been made coeval with emissions, the depreciation would in a great measure have been prevented, but taxation has for four years past lain dormant, nor was it possible to be effected sooner, when we consider that the respective States had new modes of government & new constitutions to form.

General Washington has his head quarters at the Highlands on the West side of Hudsons River to cover a strong Post that we occupy on the river at a place called West Point, against which Sir H. Clinton planned an expedition in June last but finding the Post of too great strength, he posted his army nine miles below on both sides the river at opposite points, called Verplanks & Stony point, the latter strongly fortified was on the 15th ulto. at night taken by storm, by Genl Wayne with 1200 Men. The Garrison consisting of 606 Men of which 107 was killed & wounded, the remainder surrendered prisoners of War, and are now confined in this City &c.

We have also authentick accounts from Connecticut that another detachment of British Troops from New York & Rhode Island, under the command of Sir George Collier & Genl. Tryon, landed at East & West Haven which they burn't, then advanced into New Haven which they plundered, but before they could fire the Town were obliged by the militia to a precipitate retreat to their ships, from whence they proceeded to Fairfield, and Norwalk, both which they also reduced to ashes. This mode of distressing the Inhabitants indiscriminately, will in my opinion have a contrary effect to what they expected, for by these cruelties the people are become so exasperated that they will retaliate with the utmost rigor.⁵

RC (PPRF).

¹ None of Lewis' previous letters to Sayre have been found. Sayre, a Southampton, N.Y., native, was a banker-merchant and ardent American supporter in London at the outbreak of the war and he served briefly as Arthur Lee's secretary in Berlin. His quixotic career is analyzed in John R. Alden, *Stephen Sayre: American Revolutionary Adventurer* (Baton Rouge: Louisiana State University Press, 1983); and Louis W. Potts, *Arthur Lee: A Virtuous Revolutionary* (Baton Rouge: Louisiana State University Press, 1981), pp. 72-73, 77, 88, 95, 118, 129, 143 and 174-77.

² For Sayre's brief stint as Lee's secretary, see Alden, *Sayre*, pp. 99-104; Potts, *Lee*, pp. 174-77; and Wharton, *Diplomatic Correspondence*, 1:614-19, 2:335.

³ Sayre's March 5 letter and C. A. Fabricius' March 20, 1778, letter were read in Congress on July 28, 1778, and referred back to the Committee of Commerce, of which Lewis became a member on December 14, 1778. *JCC*, 11:725, 12:1275. There is no other reported action in the journals on Fabricius' proposal for obtaining a foreign loan. Neither Sayre's nor Fabricius' letter is in PCC.

⁴ Undoubtedly Brabant, of which the major financial center was Antwerp.

⁵ For the continuation of this letter, see Lewis to Sayre, September 4, 1779.

Gouverneur Morris to Robert R. Livingston

Dr Robert.

Phila 10 Augt. 1779.

I congratulate you on the News of Count D'Estaings Success in the West India's. It is not confirmed but has nevertheless great Appearances of Truth. Nothing more is known than the News-Papers will announce to you. Should his Superiority in those Seas become very decisive then you must attend to one Fact. That the Hurricane Season rapidly approaches & of Consequence all ulterior Operations in that Quarter become impracticable or at least very dangerous. I gave you so much Intelligence when you was here as to render any particular Observations unnecessary as they will naturally arise in your Mind. The Business we were so engaged in when you was here is in some considerable Degree settled to my Wish. I am now on a Committee to prepare the necessary Documents¹ There is also a Plan of Finance on Foot which I could hope to see matured but fear I shall not as I am determined to pay you a Visit very shortly.² Duane also is going Northward³ Our State by this Means will be very indifferently represented on the Floor. However considering the long Time I have served it cannot be thought extraordinary that I should take some Days Leisure. Pray remember me sincerely to all our Friends & believe me, yours,

Gouv. Morris

RC (NH: Robert R. Livingston Papers).

¹ It could not be precisely determined which of Morris' many committee assignments he was referring to, but he may have meant his work on the committee to prepare instructions "for negotiating a peace," to which he had been appointed on August 4. See *JCC*, 14:922, 955–66.

² Morris obtained leave of absence on August 25, and returned to Congress on October 6, 1779. *JCC*, 14:993, 15:1146.

³ James Duane left Philadelphia on August 16 and did not return to Congress until May 1780.

Nathaniel Peabody to Meshech Weare

Sir,

Philad. Augt. 10th. 1779.

This moment I am inform'd from Good Authority,¹ Great Britain has actually refused the mediation of Spain, that His Catholic Majesty has declar'd he will no longer be an Idle Spectator in the present Contest—that he has actually join'd in Alliance with France and these United States—That a French fleet from Brest, of 32 Ships of the Line, and a Spanish fleet of 22 Ships of the Line, are forming a Junction—which with the addition of 25,000 Land forces, are Said to be destin'd against Ireland—official accounts it is Said are in this City Certifying the truth of the foregoing. Monsrs. Gerrard being from home prevents our having *it officially, the Certainty*, in Congress, 6,000 British forces are Comming to America—it is said that G.

Collier with 7 arm'd Vessels, Several Transports, and two thousand Land forces put to Sea the 29th ulto. suppos'd their object is Penobscott. The Success of Count D'Étang in the West Indias, the Singular advantage he has gained over Byron & the British fleet Cannot fail giving New life to our friends & Cause our Enimies to Stand aGast. Hope You will give the Earliest intelligence of the Success of our Little Penobscott fleet—and Such other matters as may Come to your Knowledge. Please to excuse breavity & incorrectness as I write this in Congress, and am oblig'd at the same time to attend to Some interesting debates so as to be able to give my opinion thereon—Must therefore bid you adieu for this time, Subscribing your most Obedient Humble Sevt,

Nathl Peabody

P.S. As I concluded my letter am enabled to Subjoin an Extract of a letter from Mr. Bingham, Agent &c, to Congress dated St. Pierre Martinique July 22d, 79. Informing, That “the Governor of that place had Communicated to him a letter from the minister announcing to him the Speedy declaration of Spain to interfere in behalf of these States” and desiring him “to take measures accordingly, informing him that the Count De Orvilliers had sailed with 32 Ships of the Line toward Corunna, where he was to be joined with 20 Spanish Ships. G. Britain has absolutely refused the mediation of Spain. 25,000 French troops are now lying on the Coast of France ready to Embark on an Expedition against Ireland—6000 additional troops have taken their departure for America against which G. Britain intends to make her last, & I hope unsuccessful efforts this year—this news may be depended upon.”

The above mentioned letter Contains [man]y other matters of Public Concernment, but not so interesting as the above quotation and are so lengthy I am by no means in a Situation to transcribe the Same.

& yr. N.P.

RC (MHi: Weare Papers).

¹ See James Lovell to Abigail Adams, August 9, 1779, note 5.

Rhode Island Delegates to William Greene

Sir,

Philadelphia Augt. 10th. 1779.

We this Moment were honored by Your Excellency's Letter of the second Instant.¹ We lament the deplorable Situation Our State was suddenly left in by the calling of Glovers Brigade, and we wish it were in Our Power to invent some Method whereby we might be releived. Mr. Marchant had drawn up some proposals in Nature of a Report to Congress from the Comee. we informed Your Excellency we procured to be appointed some weeks past,² but the other Gentleman of the Comee. rather declining to report further than to reiter-

ate the Calls which have been so frequently made upon Our Sister States—We have concluded, that it might not be attended with more Force than their Own Sense of their Obligations must be— And that at present—The Protection of the State must rest upon the Caution & Wisdom of Gen Gates, the Fortitude of the Few Troops he has, The magnanimity, the unremitted Zeal, and the Sense of Self Defence which has ever been exhibited, and exerted by the whole Body of the good People of our State—hoping at the same Time that our Sister States will at Length be awakened to Our Situation, as seeing their Own Security most intimately connected with ours.

We have just recd. the most Important Dispatches from Martinique—whereby We are well informed, that three thousand troops were embarked at St. Lucee for New York, but were happily called to their Own more immediate Security by Count D'Staing, Of whose great & Signal Success we sincerely congratulate Your Excellency & the State. Our Enemies were determined to have risked their Island with their supposed Superiority at Sea—but they are most happily disappointed in that Object. The Count De Staing rides triumphant in those Seas, and one Island after another, falls to his victorious Arm. The Forts & Batteries at Grenada, were stormed sword in Hand by Himself in Person & carried with but little Loss. Admiral Arburthnot certainly comes out & must be soon expected with six thousand Troops—had they been joined also with the three thousand as intended from St. Lucee, they would have been formidable indeed. The British Tyrant meditated One grand Blow agt. America—and to risk all upon it. Heaven blast his Purpose! The Stroke is fast returning upon his own devoted Head. But we must be awake, & every Man play well his part while Heaven decides for Us. Our Cause being good we want no other arbiter. We are assured by Our Agent at Martinique that the French Govr. informed him that his Intelligence by the last Packet from France then just arrived was that Britain had refused the Mediation of Spain—That the Fleets of France & Spain had joined—Twenty five thousand French Troops were marching down the French Coast to be taken on Board of Transports. Their Object—Ireland.

The Scene thickens—but it is observed it is generally darkest the nearest Day! The more the Storm rages—the Sooner Peace may succeed. That the Period may not be far off, and that The State we have the Honor to represent may soon open into a long cloudless Day of Security, Prosperity & Independency prays, your Excellencys, most Obedient and very humble Servts,

Hy Marchant

John Collins

P.S. The above in Congress in great Haste, but a few moments before the going out of the Post.

RC (R—Ar: Letters to Governors). Written by Marchant and signed by Marchant and Collins.

¹ Governor Greene's August 2 letter is in William R. Staples, *Rhode Island in the Continental Congress, 1765–1790* (Providence: Providence Press Co., 1870), p. 247.

² See Rhode Island Delegates to Greene, July 13, 1779, note 2.

William Whipple to Josiah Bartlett

My Dear Sir

Philadelphia 10th Augt 1779

Your favor of the 24th Ultio came to hand by Yesterdays post. I am happy that my determination to tarry some time longer meets the approbation of the Committee.¹ My Felicity will be greatly increased if it should be within the compass of my small abilities to render my Country such services as not to disapoint the expectation of my constituents.

When the more important business of the Committee will permit I shall hope for the Honor of a line from them agreeably to the expectation you flatter me with, I shall ever receive their Commands with particular satisfaction & obey them with the greatest pleasure.

I propose tarrying 'till some time in Octor. by that time I hope the Business that excites my anxiety particularly at this time will be happily finished. But if in the mean time want of health or any other cause should make it absolutely necessary for me to take my leave I shall give due notice.

You are too well acquainted with a certain assembly to suppose that engagements are inviolably adhered to by every individual member. I am inclined to think you are mistaken in your conjecture of the author of *Americanus*² the person you mention has been suspected but he in the most solemn manner denies that he ever saw or heard of it till he saw it in the newspaper and 'tho I do not always Implicitly believe declarations of this kind many concurring circumstances induce me to give credit to his at this time. This kind of scribbling is a little vexatious, but I do not think they are attended with any very material consequences on either side. I see no danger at present of that important Matter being given up indeed there woud not have been any opposition to its being secured in the fullest manner had it not been for certain *cunning designing* persons whose residence I wish was farther from N. H. One of these persons had not been in C—— for some considerable time before Your departure (not since the year 76)³ however I must defer a particular history of this business 'till I have the pleasure of a *tete-a-tete* conversation.

I shall pay due attention to what you say respecting the invalids & shortly write you on that subject. I must beg leave to refer you to the papers for news the accots from S. C. is much better than we had a right to expect in the beginning of the Campaign what we have from

the West Indies far exceed every Idea; Genl Wayne's enterprize at Stonny Point has given a very favorable turn to affairs in that quarter.

Indeed the Reports from the Enemy mention large reinforcements but these reports are in a great measure contradicted by those of better authenticity. It is true that Lord Cornwallis is arrivd & I suppose is true that Clinton & several other Genl Officers are call'd home. I shall be happy to hear of our success at Pennobscot, there I must confess I fear a miscarriage, should that be the case we must double our efforts, for it may be depended on that the Enemy will endeavor to carry their desolating scheme to as great a length as possible. But I hope the smiles of Heaven on our exertion will prevent their puting their infernal plans in execution.

I am with great Respect & sincerity, Yours,

Wm. Whipple⁴

RC (NhD: Bartlett Papers).

¹ In his July 24 letter to Whipple, Bartlett had informed him that: "Mr. Langdon was to have set out the beginning of this week for Congress on a supposition that you was on the return; but your letter of the 20th came to me while the Committee of Safety was sitting; I read to them what you wrote about tarrying longer—they were highly pleased with it, and wrote to Mr. Langdon that you would consent to tarry some time longer and would notify the Committee some time before you left Congress, that another delegate might be sent to supply your place and the Committee desired him not to proceed till further orders." Bartlett, *Papers* (Mevers), p. 264.

The Committee of Safety had written to Woodbury Langdon on July 17 and August 21 informing him that since Whipple intended to remain in Philadelphia he should remain in New Hampshire. Despite these directives from the committee, Langdon left for Philadelphia leaving Meshech Weare, president of the committee, to complain to Whipple on August 28 that: "This Committee wrote Mr. Langdon two letters of which the enclosed are Copies, notwithstanding which to our no small surprise, we understand Mr. Langdon has set out last Monday to take his seat in Congress. We have thought it proper to give you this information that you may know that Mr. Langdon's taking his seat at this time is contrary to the mind of the Committee." Transcripts of the committee's letters to Langdon of July 17 and August 17, and to Whipple of August 28, 1779, are in the Peter Force Collection, DLC.

² Bartlett had conjectured that Gouverneur Morris was "Americanus." For speculation that Edward Langworthy was "Americanus," see James Lovell to Samuel Adams, July 8 and 10, 1779.

³ Apparently John Jay, who after more than a two-year absence was sent by New York to Congress in December 1778 as a special delegate to settle the Vermont issue.

⁴ This day Whipple also wrote the following brief letter to John Langdon.

"I intended to have given you a long letter by this post but have been prevented by various means. I have only time now to acknowledge your favor of the 26 inst. You say you have received nothing from me for three weeks. This I a little wonder at as I think I never omitted more than one post at a time. I shall pay due attention to what you say respecting the Board of War and give you nature per next post in the meantime I am, with great sincerity, Yours, Wm Whipple." Langdon Papers, PHi.

John Fell's Diary

Wednesday Augst. 11th, [1779].

Coml Committee. Congress. Report for better Pro[v]iding for the Army a motion was made Per an amendmant that the Resolve past May 24th, for half the Pay to the Officers for 7 Years should be extended for Life, on the Question the Yaes & Naes being calld it Past in the affirmative.

PM Marine Committee.¹

MS (DLC).

¹ In his diary entry for this date, Samuel Holten noted: "Congress sit late. It has been a very rainy day, and very hot. No news material." MDaAr.

Cornelius Harnett to Richard Caswell

Dear Sir

Philadelphia August 11. 1779.

I take this Oppertunity of Congratulating Your Excellence on the Late Success of the American Arms in the taking of Stoney Point by Storm, Genl Wayne has gained immortal honor in this Attack, not only for his Gallantry as a Soldier, but for his great humanity to the Enemy when they were in his Power. The French fleet after the very bloody Engagement off Grenada, have now the Command of the Seas in that Quarter. It is supposed the Enemy intend their last Effort against America this Campaign, 6000 Troops are daily expected to Arrive 2000 of which it is imagined are destined for the Southward. The President of Congress will no doubt inform Your Excellency, how desirous they are to be in readiness to Oppose the Enemy in that Quarter.¹ I have not the least doubt but every necessary Exertion will be made for defence in our State.

I have still hopes, notwithstanding the Confidence with which some good Whigs Assert that the 6000 troops will soon be in America; that Britain will find it absolutely necessary to keep them at home, they will in all human probability be much more wanted in Europe for their own defence. This Express is just seting off—which obliges me to refer you for News to the inclosed papers. I have the honor to be with great regard, Your Excellencys, Most Obed huml Servt,

Cornl. Harnett

[P. S.] I shall do myself the Pleasure of writing Your Excey by next Post should any interesting event take Place.

RC (NN: Myers Collection).

¹ See John Jay to John Rutledge, August 12, 1779, note 2.

John Jay to James Avery

Sir, Philadelphia 11th Augt 1779

I have been favored with yours of the 27th Ultó. with the Letter from Coll. John Allen enclosed in it. They were both referred to the Board of war, who have not as yet made any Report on the subject of the Latter.¹

I am Sir, Your most obedt. & Hble Servant.

LB (DNA: PCC, item 14).

¹ In his July 27 letter to Congress, Avery had enclosed one of July 2 to the Massachusetts Council from Col. John Allan, who had been appointed agent to the Indians of Nova Scotia in 1777. Allan, a vigorous proponent of incorporating Nova Scotia into the United States, had reported his efforts to negotiate with the "Chiefs of Penobscot" and supplied intelligence on British military preparations in the northern district of Maine. PCC, item 78, 1:303–9.

Allan's letter was referred to the Board of War on August 10, but the board seems to have taken no action on it, apparently because it was actually a report to Massachusetts rather than to Continental officials. A similar letter from Allan to Massachusetts of September 10 was also referred to the board on October 20, 1779. See *JCC*, 14: 941, 15:1188; and PCC, item 65, 2:3–8. For Allan's background, see also these *Letters*, 6:53–54n.4.

John Jay to John Carter

Sir, Philadelphia 11th Augt. 1779

Your favor of the 30th Ultó. has been referred to the Board of war from whom I presume you will receive your Instructions on the Subject of it—Should Congress come to any Resolutions respecting the Objects of your Appointment, they shall be immediately communicated to you.¹

I am Sir, Your most Obedt. & Hble Servant.²

LB (DNA: PCC, item 14).

¹ Carter, the Continental agent at Williamsburg, Va., had written for instructions concerning the disposition of 3,675 small arms that had just arrived from Nantes. The Virginia Board of War, Carter explained, wished to retain them "for Arms furnished Congress by their State." And in conclusion he added: "Never having received Instructions as to my Duty as Continental Agent, I am frequently at a loss, even in the Instance above, I know not if I am to interfere." The letter is endorsed by Charles Thomson: "Read Aug 9. Referred to the Board of War. (no answer)." See *JCC*, 14:940; and PCC, item 78, 5:381–84.

² This day Jay also wrote the following letter of introduction to Col. Theodorick Bland, commander of the troops guarding the Convention Army at Charlottesville, Va. "The bearer, Mr. J[oshua] Mercereau, deputy-commissary of prisoners for the eastern department, having business to transact at Charlottesville, I take the liberty of recommending him to your aid and attention.

"His private character, and the early and decided part he took in favor of the American cause, (with both of which I am acquainted,) merit consideration." Theodorick Bland, *The Bland Papers*, ed. Charles Campbell, 2 vols. (Petersburg, Va.: Edmund & Julian C. Ruffin, 1840), 2:19.

John Jay to Jeremiah Wadsworth

Sir,

Philadelphia 11 Augt. 1779.

Your favor of the 3d Inst, with the papers enclosed with it, have been received & referred to the Treasury. Whatever Resolutions Congress may enter into on the subject shall be transmitted to You without delay.¹

I have the Honor to be with Sentiments of Esteem & Regard, Your most Obed & Hbl Servt.²

LB (DNA: PCC, item I4).

¹ In his brief August 3 letter to Congress, Wadsworth had enclosed accounts pertaining to rations issued to troops on the Pennsylvania-New York frontier near Minisink. "I wish to know," Wadsworth stated, "the sense of Congress whether I am to pay them or not." The response to Wadsworth's query is contained in the following endorsement recorded on Wadsworth's letter, dated "Tr[easur]y b[oar]d 17th April 1780."

"The Commissary General ought not to pay Such claims as the Inclosed because the Provisions pass not thro the hands of Continental Issues and therefore are Subject to no regular Checks.

"The State who knows the Number of Troops and Check the Expenditure of the Provisions Seems to the board most Competent to adjust and discharge Such Claims." See *JCC*, 14:944; and PCC, item 78, 24:63–69. See also Samuel Huntington to Wadsworth, April 20, 1780.

² This day Jay also wrote two other brief letters involving routine matters recently considered by Congress.

The first was addressed to "The Reverend Mr. Henry Miller," transmitting an August 7 resolve signifying Congress' acceptance of his resignation as "chaplain to the Germans in the army of the United States." See *JCC*, 14:933; and PCC, item 42, 5:343, item 78, 15:481–84.

The second, to Philadelphia privateer captain John McPherson, read: "The Memorial You delivered to me this morning was immediately laid before Congress & by them referred to the Marine Committee." *JCC*, 14:944. McPherson's memorial is not in PCC, and there is no other mention of it in the journals, but for his efforts in July to obtain powder for his vessel, see *JCC*, 14:855, 859; and PCC, item 42, 5:144–47, 150–58.

James Lovell to Abigail Adams

My amiable Friend

11. Augst. 1779

This Evening I have satisfactory Intelligence of the real Embarkation of your very dear Treasure at *(Nantes)* l'Orient the 17th of June and that he was left well 12 days after, off the western Islands. The Secretary¹ of Arthur Lee arrived at Metompinkin,² Virginia, Augst. 1st in a very swift sailing Vessel. Mr. Adams told him at parting that he had good News for Congress and sent his Respects. The Secretary is not here but a Connecticut Captain a Passenger in the same Vessel is my Author. There is a very lazy Vessel in Company with the Baggage of the french Minister who is with Mr. Adams; so that you need not be uneasy meerly on account of Time. But I must honestly

say that there is a risque both from Arbuthnot and Collier. God grant he may escape both, and speedily embrace his dear Family.

James Lovell

RC (MHi: Adams Family Papers).

¹ Hezekiah Ford, whose arrival in Virginia had long been awaited because his loyalty had been called into question by Lee's opponents. See these *Letters*, 11:516n; and Richard Henry Lee to John Page, April 4, 1779.

² Undoubtedly Menokin, the home of Francis Lightfoot Lee.

Marine Committee to William Smith

Sir August 11th 1779

Your favour of the 31st ultimo has come to hand—We observe what you say, that in consequence of our Orders, you have received at Sundry times upwards of 4000 Barrels flour from the different Commissarys in Maryland and Virginia, a part of which belongs to Mr. Holker and a part you had delivered to the Issuing Commissary. We cannot find that we gave you any Orders for receiving flour for Mr. Holker—or for the Commissary.

On the 12th of March¹ we ordered the Commissary at Baltimore to deliver to you from the Public Magazines any quantity of Flour you might require not exceeding 1200 Barrels and on the 26th of the Same Month we advised you of our having written to William Aylett Commissary in Virginia to furnish 500 barrels for lading the Schooner General Arnold, but least he should fail we sent you an Order on the Commissarys in Maryland for the Same quantity. This we apprehend is all the Flour which we ordered into your care and as we wish to avoid mixing the business of the Navy with that of the Commissary or Mr. Holker, we request you will inform us what flour you have now got which properly belongs to the Navy—estimate the expences which has attended the same and which for some time may accrue and we shall fully remit you. The Expences attending the flour for the use of the Commissary and Mr. Holker—they must pay.

We are Sir Your Humble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ Not found, but see Marine Committee to Smith, March 12, 1779.

John Fell's Diary

Thursday 12th Augst. [1779]

C[ommercial] Committee. Congress. Report from the Committee on Coll. Knoblock memorial, Mr. Scudder moved that he have 10000

Ds. seconded Per Mr M Kean and 100 Guineas, Opposd the whole, after debate Referrd to the Treasury.¹ Mr Peabody seconded Per Mr Schudder for all the Non Commissiond Officers and Soldiers to Receive half Pay for Life which opposd Referrd to a Committee of 5. PM Marine Committee.

MS (DLC).

¹ The baron de Knobelauch had been permitted to join the army as a volunteer in August 1778, for which see these *Letters*, 10:422n.5. For the results of his most recent applications for employment in active service, see John Jay to Knobelauch, August 29, 1779.

John Jay to Benjamin Lincoln

Sir, Philadelphia 12th Augt. 1779.

Your favor of the 21st June by Major Franks was delivered to me Yesterday.¹

You will perceive by an Act of Congress of the 10th Inst, of which the enclosed is a copy, that your compliance, with the Request of the Governor & Council of South Carolina to defer leaving that State, perfectly corresponds with their wishes.²

Virginia and North Carolina have been lately requested by Congress to forward the troops destined for your Army with all possible dispatch.

I have the honor to be, with great Respect & Esteem, Your most Obedient Servant.

LB (DNA: PCC, item 14).

¹ According to the journals, Jay presented Lincoln's letter to Congress this day. *JCC*, 14:950; and PCC, item 158, 1:259–69.

² *JCC*, 14:942.

John Jay to John Rutledge

Sir, Philadelphia 12th Augt. 1779.

By the enclosed Copy of an Act of Congress of Yesterday, Your Excellency will perceive that the United States will reimburse to the State of South Carolina such Sums of money as that state may advance for importing such military Stores as shall be deemed immediately necessary by the Commanding Officer of the Continental Troops in the Southern Department.¹

Congress have requested the Governors of Virgina & North Carolina to give the necessary Orders for forwarding the troops destined to South Carolina with all possible dispatch.²

I have the honor to be with great Respect & Esteem, Your Excellency's Most Obedient Servant.

LB (DNA: PCC, item 14).

¹ JCC, 14:946.

² JCC, 14:942. Jay's August 12 letter to North Carolina governor Richard Caswell, enclosing this August 10 resolve, is in PCC, item 14, fol. 169. No such letter to Gov. Thomas Jefferson has been found.

James Lovell to Samuel Adams

Philada. Augst. 12th. 1779

It behoves you to be very industrious in informing *good Men*, *what* has caused certain delays in the proceedings here for some months back. Let them know that there has not been any Proof of an *honest* Intention in Britain to treat of Peace; that France & Spain indeed seemed earnest to know *our* Ultimata, especially in points which were nearly allied to their Interests—Florida & Newfoundland.

I have said *good Men*. I esteem Mr. Ellis Gray one.¹ I have seen his Allarms & Sentiments. I have a desire that such a Man should be well instructed in the Grounds of the Conduct of the Delegates both in Regard to Ultimata, and the Business of our Commissioners. The Party here have industriously sent Paca's & Drayton's Paper to Boston² and Mr. Cushing has seen it and makes just such an Use of it in his Letters as you can readily suppose, he gives *other People's* Remarks, but You cannot *swear* it is giving his own opinion. Other Folks, & People cannot account for the Vote of the Massachusetts Delegates, *after* the Information from the french Minister.

I again repeat that I hope *Mr. Gray* will find from you principally or secondarily that the support of a virtuous Officer is exceedingly interesting to *Republics*. Where Salaries & Fees are the Temptations to serve as in Monarchies, there may be a Levity as to Changes. But the grand Test in Republics should be *good Behavior*. But, no say some Folks & some Peoples, what is it to the Public whether an Officer is accused rightfully or wrongfully if the State is like to be injured consequentially. What honest Man will venture to become a Successor to an Office vacated on such Principles? We must let Men see that Capacity Honor and Integrity shall support them against all the undermining Acts of the vicious or the darts of Malice.

I suppose you will readily see the subordinate Line in which one of the Letter writers acts. I conceive the Copy of Paca's & Drayton's Paper was not sent to either of the Gentlemen above mentioned. I should begin to think better of the *Gemmen* here if they were in Correspondence with so virtuous a Man as Gray.

I mean You should only know *he* has written for your Clue, not for a direct Ecclaireissement. As to the other, you must have had twenty Oppertunities of Knowing he has seen Pacas & Drayton's Performances without *my* telling you.

Hazh. Ford arrived Augst. 1st in Virginia. He left Mr. Adams

June 29 of[f] the Western Isles. Mr. A—— had *good news*. Ford will be here in a few days when I will write more fully.

We are boguing about 1/2 pay *for Life*.³ The Bear is in Licking; but it will be a Bear after all. But the Massachusetts Delegates had better not oppose it, because the Opposition *delays* Business. If Mr. J. Adams should happily land in yr. Quarter, I hope he will let People & Folks know that he has attested sufficient Vouchers to prove that A Lee has been most falsely accused and greatly injured. Yrs. JL.

RC (NN: Adams Papers).

¹ Ellis Gray, a Boston merchant, was a former chairman of the Boston Committee of Correspondence, Inspection, and Safety. *Warren-Adams Letters*, 2:117n.1.

² For "Paca's and Drayton's Paper" concerning the French court's lack of confidence in Arthur Lee, see William Paca and William Henry Drayton to Congress, April 30, 1779.

³ Among the proposals Congress took up on August 16, 17, and 18 for making "a farther allowance to the officers of the army" was a recommendation to extend "half pay," as provided in a resolution adopted on May 15, 1778, from a period of seven years to life. See *JCC*, 14:971, 973–79; and John Fell's Diary, July 27, note, and August 16, 1779.

Committee of Congress to Benjamin Lincoln

Sir

Philadelphia 13th August 1779

Your Letter of the 4th June to Congress is committed to us who are appointed a Committee to correspond with the Commanding Officer of the forces in South Carolina and Georgia,¹ we had delayed entering upon the business from a daily expectation of learning from yourself a detail of the Action at Stono ferry and from flattering expectations that you would at the same time have informed Congress of the total expulsion of Mr. Prevost from South Carolina.

Yesterday your dispatches by Major Franks under the 21st June containing an account of the Action of the 20th and its consequences were read in Congress²—the Enemy's retreat to Georgia which we have heard of from various quarters wants your confirmation.

Congress have received intelligence from Martinique indicating a determination on the part of the Enemy to detach about 3000 Troops from St. Lucia to this Continent, most probably to South Carolina, the success of Count d'Estaing in the Naval engagement near Grenada on the rendered it necessary to throw those very troops into St. Christophers for the protection of that Island, you will nevertheless be on your guard and Congress will do every thing in their power to strengthen your hands. We think it far from impossible that the commanding officer at New York, now said to be Lord Cornwallis may esteem it a necessary and most essential object to annex South Carolina and Georgia to Florida, a first and favorite plan of the British Ministry, the prosecution of which will be encour-

aged by Sir James Wright³ with all his influence and force of reasoning. Congress have repeated and reiterated their earnest recommendations to the States of Virginia and North Carolina to march the troops from those States designed to reinforce your Army,⁴ and we hope you will be enabled to make a respectable appearance in the Field before the 1st November.

Inclosed with this will be found an Act of Congress of the Inst. requesting you to remain in your present command.⁵ The fewness of General Officers in your department recommended the measure as necessary to be attempted, we rejoice to find it will be pleasing to our fellow Citizens in that quarter, particularly to Brigadier General Moultrie, and we entertain a confidence that continuing at the head of the Southern forces will eventually prove honorable and beneficial to yourself.

We are sorry to inform you that Congress have not received any addition to their Magazines of Military stores. Gunpowder, Muskets & Lead cannot be conveniently or safely spared until we receive further supplies, an event altogether uncertain, thus circumstanced, Congress have resolved by an Act of the 11th Instant Copy of which will accompany this, to reimburse the State of South Carolina the expence of such Military Stores as you shall deem immediately necessary for the defence of the Southern department to be imported by that State.⁶

You will be pleased Sir, to inform us as speedily as possible, & from time to time, the state of your Army, and of such particulars respecting your department as may be necessary to lay before Congress. With our best wishes for your health and success, and with great respect and esteem, We are, Sir, Your Obedient and most humble Servants.

Henry Laurens

Hy. Marchant

S. Holten

RC (CSmH: HM22412). In the hand of Moses Young, and signed by Holten, Laurens, and Marchant. Laurens' draft of this letter is in the Laurens Papers, no. 23, ScHi.

¹ Lincoln's June 4 letter to John Jay, a copy of which is in the Lincoln Papers, MHi, was read in Congress on July 7. The following day the South Carolina delegates laid before Congress a June 9 letter of Gov. John Rutledge, whereupon Congress assigned Henry Laurens, Henry Marchant, and Samuel Holten to correspond with Lincoln and to "report, from time to time, the necessary measures for defending the said states." *JCC*, 14:806–7.

² See *JCC*, 14:950; and PCC, item 158, 1:259–69.

³ The royal governor of Georgia.

⁴ See John Jay to John Rutledge, August 12, 1779, note 2.

⁵ *JCC*, 14:942.

⁶ *JCC*, 14:946.

John Fell's Diary

Friday 13th [August 1779]

Coml Committee. Congress.

The day spent in Reading the Instructions for the Minister to be employd to Negotiate a Peace.

PM. Marine Committee.

Ultimatom.¹

MS (DLC).

¹ Fell inserted the word "Ultimatom" between his entries for August 13 and 14. The journals indicate that the draft report of the committee that prepared "instructions for the Minister Plenipotentiary of the United States to be appointed for negotiating a peace," which clarified several issues relating to the ultimata, was "debated by paragraphs" on both days. *JCC*, 14:952.

James Lovell To Horatio Gates

Dear Sir

Aug. 13. 1779

Capt. Traversie has delivered to me your Letter wth. the Gazettes committed to his Care. I put immediately under the Charge of Mr. Nurse the Letter & other Papers designed for Mrs. Gates. I could not conceive that you intended I should make any other use of the Intelligence you sent than only to instruct proper Persons here who wish well both to you & the public, without communicating them to Congress. For as you did not write to the President I suspected Some Umbrage would be taken on that Score, as well as touchg. the Chief of the Army. Would to God there were Troops ready to prosecute a proper Plan. But they are in the western Sink.¹

Captn. Traversie's Account ought must Certainly to be pd. by you.² But I Suppose you have no secret Service Money of the *blanc* kind.³ Nor has the Treasury.

The Capt. seems not to be pleased with the Commiss[i]o[n] he has. I think you had best send proper Certificates and ask a Continental Brevet for him; and facilitate his Receipt of his Pay from time to time in such way as you know to be proper. He would be glad to get it at Times of Col. Bedle rather than to be obliged to Journey for it.

The Prospect of Peace was founded on a Phantom. There was no honest Intention for it in Britain. J Adams is at or near home. A Lee's Secretary is arrived at Virginia, and is daily expected here. I will be more full to you by next post. In the mean Time, I beg to be counted among those to whom your Fame & Happiness are dear.

James Lovell

RC (NH: Gates Papers).

¹ That is, the expedition commanded by Gen. John Sullivan against hostile Indian tribes on the Pennsylvania-New York frontier.

² Capt. Joseph Traversie's account was laid before Congress on August 12, and on the 20th Congress ordered payment of \$1,055 to Robert Troup, who had advanced the money to Traversie. *JCC*, 14:951, 982. This decision was reported to Gates in the following August 24 letter from President Jay. "The enclosed is a copy of an Act of Congress of the 20th Inst, for paying Robt. Troup Esqr. the money advanced by him to Capt. Traversie employed by you in the public Service, & charging it to your Acct." Gates Papers, NHi; and PCC, item 14, fol. 178.

³ That is, specie.

James Lovell to James Warren

Dear Sir

Aug. 13th. 1779

Tho on the one hand, I may be perfectly right in supposing that it is almost immaterial to which individual, of a select number of Patriots in Boston who honor me with their Correspondence, I, from time to time, make direct confidential Communications, immaterial I mean so far as relates to the meer matter of Information. Yet, surely it must appear odd, at least, if not ungrateful, that I should send scrawl after Scrawl to one who replys in the Ratio of 2 to 7 while I suffer a long very entertaining Letter, from another, of July 19th to lay by me unacknowledged 10 days.

Apprizd as you must have been by Mr. S.A. of the Principles, Views & Conduct of most political Men here, you may notwithstanding have been unacquainted even till now with the exact Contents of a Paper which is handed about in a particular Circle in yr. Neighbourhood so as to influence the minds of some good men as well as to strengthen the Plots of some bad ones.¹ I wish you to see it, Mr. Ellis Gray, a worthy Man, will put you in the Train of having it, I doubt not: it is too much for me to copy at this Time, and perhaps needless. For if Mr. Gray cannot furnish you with it Mr. Thos. Cushing can. The latter also can, if he will, tell by whose extraordinary Care it was sent to Boston. I own I have much Curiosity to know.

Sir, you may see the low arts that have been used to prejudice the Minds of Congress so far as to make them destroy the good Man's prospect of the best Reward in Republics—the approbation of the People. You may feel it by the Use that has been made of the following Scrap laid on the Table by Mr. G. Morris May 3d 1779. Tis the Extract of a Letter from Paris dated the 7th of Decr. 1778 and said to be written by a confidential Friend of the minister of the marine. Mr. Holker furnished it, so that it was probably *to* him.²

"Mr. J. Adams, le Deputé ne reussit pas ici que de Raison: il parait etre entierement livre au Sr. Lee, lequel comme vous le Scavez est une espece de fol."

Mr. J. Adams the Deputy does not succeed here further than is reasonable: He appears to be intirely devoted to Mr. Lee, who, as you know, is a sort of mad-man.

The rest of the paper relates to an appointment of a Monsr. D'obré who is Son in Law of Mr. Schweighauser at Nantes insinuating that he betrays our Vessels to the People of Jersey because he is Son of the Mair of that Place.³ The maliciousness of wch. I have many Vouchers by me that prove. The Paper concludes with an assertion that if Doctr. Franklin is not sole Deputy in France Things will go on but lamely or in his own Phrase with "but one wing."

I hope Mr. Adams will in a few days be with you: he was left off the western Isles on the 29th of June by a Vessel which arrived at Virginia Aug. 1st. I hope he will come soon on to Congress, And, as C[ush]ing says, "People here" are of opinion that he ought not to come as a Delegate, but in his present Character, and with a proper Dignity, as if he was fit to deal with a *gallant* Nation. "People here," are my Circle. If Mr. A.⁴ is resolutely determined not to negotiate a Peace for us upon being *unanimously* chosen for such a Work, *then*, I would wish him to have an Election as Delegate if he only tames a month upon it; the Election to be made after he is *here*.

As to Peace, I am persuaded the eastern Delegates have always been justly dubious of the reality of any honest Intentions in Britain, tho' we were sure France & Spain were willing to know our Sentiments about Newfoundland & the Floridas. I am pretty sure that what the Gazettes say of the mediation of Spain being rejected is true. Mr. Adams has sent Word that he is coming with good News, and I am told that a Vessel is now in this River after a short Passage from Nantes. I will go to Congress and will not seal till I know whether I can tell you any Thing more explicitly.

I find no Letters or Intelligence But shall probably give you a Confirmation by next post of what we are told authentically from Martinique.

I am, Sir, With much Esteem, your humble Servant,
James Lovell

[P. S.] I broke the Seal to tell that on the 28th of July at 150 Leagues from Boston in Latt. 42 Mr. Adams was left in the *Sensible* 36 Guns with a Vessel of 24 and several of 14 & 16.

RC (MHi: Warren Adams Papers).

¹ For the "Paper which is handed about," concerning the French court's lack of confidence in Arthur Lee, see Lovell to Samuel Adams, August 12, 1779, note 2.

² There is nothing in the journals indicating that Gouverneur Morris presented a letter to Congress on May 3, the day a resolution to recall Arthur Lee failed in Congress, but the extract described and quoted here by Lovell is in PCC, item 59, 2:169–70. Although neither the author nor the recipient is known, Lovell's conjecture that it was written to Jean Holker is a reasonable one. The document was endorsed by Charles Thomson: "Extract of a letter relating to foreign affairs Messrs. Adams, Lee &c. laid on the table by Mr. G. Morris. May 3. 1779"; and by the transcriber of it: "the above Extract is from a Confidential friend of the Minister of Marine Department & one of the Promoters of the alliance." For the proceedings in

Congress that elicited this testimony concerning Arthur Lee's status in France, see also William Carmichael's Statement, May 3, 1779.

³ Peter F. Dobrée, a native of Guernsey, was the son-in-law and partner of John D. Schweighauser, who owed his appointment as American agent at Nantes to William and Arthur Lee. Dobrée had been accused of being a British spy in an anonymous letter to Benjamin Franklin that had been forwarded by Jacques Donatien Le Ray de Chaumont in a July 5, 1778, letter to Franklin. The anonymous letter accused Dobrée of sending information on American ships to his father, Thomas Dobrée, who allegedly operated British privateers out of Guernsey. See Adams, *Papers* (Taylor), 6:365–66n.1.

⁴ That is, John Adams.

John Fell's Diary

Saturday the 14th [August 1779]

Coml Committe. Congress. Draft of a Letter to the States, agreed to fill their Batallions and hold their Militia in readiness.¹ Motion made Per Mr Gerry to Adress Ireland to Revolt, on the Question house divided, it was Lost.²

MS (DLC).

¹ For this letter, see the following entry.

² According to the journals, a motion had been made by Henry Marchant and seconded by Elbridge Gerry that "a committee be appointed to confer with the Minister of France upon the intelligence lately received respecting Ireland." With the states voting four aye, five no, and three divided, the motion lost. *JCC*, 14:966–67.

John Jay to the States

Sir, (Circular) Philadelphia 14th Augt. 1779.¹

Congress have deemed it highly necessary to inform You that the Enemy have exerted themselves to send out a very considerable Reinforcement to their Army now in America. Seven thousand Men were destined hither from Europe, & three thousand from the West Indies. The Operations in the place last mentioned may perhaps prevent the arrival of those troops; but there is no solid Reason to expect that the European Reinforcements will not arrive.

It is proper that You should be informed that our Allies are much concerned to find that Preparations were not earlier made for a vigorous campaign. The Exertions of America are necessary to obtain the great Objects of the Alliance, her Liberty, Sovereignty, & Independence. The Barbarities already exhibited by the Enemy, & their avowed determinations to give a still greater scope to their Ravages are additional Motives to our Endeavours. Congress are fully convinced therefore that you will comply with their Earnest wishes to prepare for the most immediate, & most vigorous operations, particularly by filling up your Battalions, & having the Militia

of your State ready to march at the shortest warning. It is highly probable that circumstances may soon call them forth to operate offensively, & it is hoped & expected with such Energy & Effect as to free these States from their hostile Invaders.

I have the honor to be, With great Respect & Esteem, Your Excellency's Most Obedient Servant.

John Jay.

P.S. A Copy of an Act of Congress of the 12th Inst, against John Douglass late commander of the Privateer Schooner called the Hunter is herewith enclosed.²

LB (DNA: PCC, item 14).

¹ This letter was drafted by Gouverneur Morris in behalf of a committee appointed on August 10 to determine what part of the intelligence recently received from William Bingham and Conrad Alexandre Gérard "they judge proper to be communicated to the several states." See *JCC*, 14:942, 953; and PCC, item 24, fols. 257–59.

² *JCC*, 14:950–51. Congress' August 12 resolve against John Douglass, who "absconded out of the State of Pensylvania" to elude a judgment against him for the illegal capture of two Spanish vessels, was adopted at the recommendation of the Marine Committee as a result of the solicitation of Conrad Alexandre Gérard and Juan de Miralles. For the background of this case, see President Jay's first letter to Gérard of May 24, 1779.

Henry Laurens to the Chevalier Morel de La Colombe

Dear Sir.

Philadelphia 14th Augt. 1779.

Inclosed herein you will receive my address on your behalf to Messr Curson & Gouverneur which I hope will be useful to you.¹

I am very sorry indeed Sir, that it has not been in my power to devote more of my time to you, I have often assured you & I beg you will permit me to repeat that I have not been wilfully deficient;² when you grow old & infirm, if you shall at the same time have your head, your hands & your heart full of business & care you will reflect on the present day & pass something to my Credit. I sincerely wish you good voyages & a happy meeting with your family & friends in France.

I have the honor to be, With much regard, Sir Your obedt. humble servt,

Henry Laurens

RC (NNC: General Manuscripts, Laurens). Addressed: "Monsr. Colomb, Captain in the American Army, Philadelphia."

¹ Not found.

² For Congress' appointment of La Colombe as a Continental captain, but their refusal to promote him to the rank of major by brevet, see these *Letters*, 8:309–10; and John Jay to Alexander Hamilton, September 18, 1779, note 5.

James Lovell to Horatio Gates

Dear General

Aug. 14th. 1779

Capt. Traversie has so good a Character from you that I have tried all in my Power to expedite what Business he appeared to have here.¹ But there was not a Shilling of hard Money in the Treasury. You ought to make application for some for secret Services as very shortly there will be a Supply from the Source of Burgoyne's Troops one of the Commissioners being gone to Virginia to settle the accounts.

It does not appear to me that Capt Traversie thinks himself *quite* rewarded by his Captain's Pay for the Value of his Services. But you must be particular in writing if any Thing is expected from hence.
Yr affectt Friend, James Lovell

[P. S.] You will soon see Mr. John Adams and a new french Minister.² They were on July 28th 150 Leagues from Boston in the Lat. 42.

RC (NH: Gates Papers).

¹ See Lovell to Gates, August 13, 1779, note 2.

² See Lovell to Richard Henry Lee, August 17, 1779, note 2.

John Armstrong, Sr., to Horatio Gates

Dear General,

Philada, August 16th 1779

Altho' deprived of writing you by a Captn Traversie¹ whos lodgings I cou'd not find, yet have the pleasure of believing that defect on my part to have been more than Supplied thro' the benificent Pen of our friend Mr. Lovel the Magazine of intelligence foreign & domestick.

At present we are favoured with a flood of good News, the taking of St. Vincent & the Granadas together with some degree of Victory over Admiral Byrons Fleet by the Count DeEstaing, are we believe matters of fact, and Anxiously wait to hear the consequences of the latter or in what manner the good Count may be directed to improve his Victory. The Agent of Congress (Bingham) at Martinique (whos name and the thing too Congress at present seems rather disposed to conceal) expressly tells us that the British Court hath rejected the mediation of Spain, the effect of which will instantly throw that Court into the Scale of France & America—a different writer from the Same place Speaks of an actual junction & a formed Army for the immediate invasion of Ireland, Some Say to Conquer, others with greater probability, to excite & Secure the Independance of that Country—this whatever maybe a brewing I consider at present as premature. We are also assured that at least Six or Seven thousand were ready to Sail as a Reinforcement to the Enemy this

Summer— but intelligence of this day Informs that by a fient of the French against Guernsey, four thousand of the above were Sent for the defence of that Island—hence we may hopefully conclude they may either be totally diverted or thrown late in the Season, this which is probably true has an agreeable Aspect. But when I consider Mr. Lovels better memory & especially the late Arrival of Mr. John Adams together with the Minister of France, I am only Sending Coal to New Castle, or Cod fish to Boston.

Are you not Ploding how to pay Visit of two days to these Gentlemen at Boston, as it's not probable they will make Providence in their way to this place? The harmony of Congress rather grows than otherwise, there being but One point now on the Carpet in which the House stand Martialed on every side (the retaining or —— of Arthur Lee)² for the Fishery I think has gained a Sufficient political basis in effect amounting to an Ultimatum or Sine-qua-non.

On Finance, particularly the Apreciation of our Money and means for domestick Loans in Order to prevent farther emissions, a more Vigorous & effectual Stimulas to Money holders must in my Opinion be Suddenly thrown out, that as little as possible on this essential point may be left to doubtful contingency & caprice, this will probably Soon be agreed on to good effect. In case of an attack from the Enemy if you think of making a Stand at Providence, I hope you have an explicit previous agreement not only with the Militia of that small State, but with a certain body of the more convenient part of Massachusets with established Signals to assist on a very Short notice, other wise your chance is very Small & yr. risque too great, for as your weakness must be certainly known to the Enemy, their movements (if at all) must be Sudden & their force Such as to leave nothing to hazard with yr. few contrasted troops so that if you have not the highest human assurance of Sudden & Sufficient aid, your Situation will be inelligeble—but perhaps the only true alternative an early retreat to the Strong grounds & country of the Massachusets, might be considered as unmilitary—attended with the loss of the Town &c. It might be so considered, but if the Garrison have little or no chance, the Town must also go with it, and the loss of both greater than of One. Forgive these hints thrown out without the advantage of circumstantial knowledge and meaning no more than that you shou'd have a moral certainty of Aid in time of need; you see the old mode of carrying Suddenly by Storm as well here as at the Grenades is like to become fashionable. A certain Committee whereof I am One have prepared a report for your Reinforcement but a good friend of yours wishes the report kept back a little in hopes of being able to make it better,³ I shall again press the Committee upon it One way or other. My declineing Constitution has had a Struggle to keep on foot for a Week past but now somewhat better, and if the bow of Congress were fairly Shot at a few capital things, I shall God willing take a final leave of all publick Stations.

I am dear General most Sincerely And Affectionately Yours
John Armstrong

[P. S.] I hope that no Event will suffer a certain incidental breach to be in any degree widened. Patience & forbearance are great Virtues, leading to the Strong grounds of Unanimity, honour & Peace.

RC (NHi: Gates Papers).

¹ Joseph Traversie, for whom see James Lovell to Gates, August 13, 1779, note 2.

² Armstrong's hesitancy to insert the word "recalling" here doubtless stems from the inability of Congress itself to confront forthrightly Lee's future. His mission to Madrid had always been clouded by Spain's refusal to accord him diplomatic recognition, and when an accredited representative to the Spanish court was finally appointed on September 27, John Jay rather than Lee received the appointment.

³ For the work of this committee, and the efforts of Gates' "good friend," Henry Marchant, on his behalf, see Rhode Island Delegates to William Greene, July 13, note 2; and Marchant to Gates, August 24, 1779.

Committee of Conference Report

[August 16, 1779]¹

Representation of the Circumstances respecting the Western Frontiers communicated by a Committee of the General Assembly of Pennsylvania, and also Copies of the Memorials & Letters from the Governor of Connecticut & New York respecting the Depredations on the said Frontiers be transmitted to the Commander in Chief, Who is directed to take effectual Measures for the Protection of the Inhabitants and Chastisement of the Savages &c.

On the 9th of March their Report respecting the Number of Battalions of Infantry to be employed was agreed to in Congress. On the 16th your Committee offered their Report for inlisting Waggon during the War; And their Report that Warrt. Officers be put on the same Footing with regard to arrests as those of the Line. And a Report for the better regulating the Department of issuing Commissaries of Provisions.

On the 22d Your Committee reported a Plan for Cloathing the Army; and on the 23d it passed Congress. On the 12th of April, their Report for Allowances of the full Value of Rations to Officers was considered and postponed and on the 13th recommitted. On the 14th a Motion to recommend it to the several States to make Provision for Supplying their Officers with certain Necessaries was referred to your Committee. On the 12th of June, A Memorial from the Officers of Light Dragoons was referred to your Committee, and they were directed to report speedily a provision for the Army. On the 5th of July a Letter of the 31st of May from Colo. Shephard & the other Field Officers, and on the 6th a Letter from the Commander in Chief of 27th June, were referred to them; And Your Committee have reported half Pay for Life to the Officers and their

Widows; And an additional Subsistence for the present. On the 12th They report on the Letter from the Governor of North Carolina respecting the March of the Troops of that State &c.²

That the Letter and Enclosures from General Schuyler (respecting which your Committee with the Commander in Chief were to take order,)³ contained a Request from the Oneidas, a friendly Tribe of the Six Nations, for protection against the common Enemy; and your Committee have submitted it to the Commander in Chief to pursue such Measures thereon as he shall Judge adviseable.

That the rest of the Reports being on the Files of Congress, your Committee refer to them respectively.

Your Committee having thus presented a general Review of the several Matters committed beg leave to remark more particularly, that the Operations of the then ensuing Campaign were frequently the Subject of Conversation. That the Commander in Chief's Sentiments and observations thereon which are expressed in the Papers No 1, 2, and 3 herewith presented⁴ appeared to your Committee to be Solid and uncontrovertible; and that your Committee had the Satisfaction of concurring with him fully on every Point; and having nothing to communicate from Congress left him, under an explicit approbation of his Ideas, to the free Exercise of his own discretion in conducting the military Operations untill he might receive the orders of Congress. That your Committee conceive that he is by the Act of Congress of the 19th of January vested with competent Authority to conduct the Operations of the Campaign in every Quarter as he shall Judge fit: being under no other direction to their Knowledge that what is implied in the Act of Congress of the 25th of February last and the references accompanying it, which are already noticed.

That two Reports of your Committee remain to be considered by Congress, one respecting Prisoners of War in the Marine And the other the Appointment of Aids to the Brigs General in the room of their Brigade Majors who are employd in the Inspectorship.

All Which is Submitted the 16 Aug 1779.

Jas. Duane, Ch. for the Committee

MS (NN: Myers Collection). In the hand of James Duane and Charles Morse, a clerk in the office of the secretary of Congress, and signed by Duane. Endorsed by Duane: "Report of Committee of Conference with the Commander in Chief."

¹ James Duane, as chairman of the committee appointed on December 24, 1778, to confer with General Washington, prepared this report to comply with Congress' July 26 directive to the committee to "forthwith lay before Congress and account to their proceedings, and of all the information they can give relative to the western expedition." *JCC*, 14:889-90.

² The remainder of the report is in Duane's hand.

³ For this January 5, 1779, letter from General Schuyler, see John Jay to Philip Schuyler, January 15, 1779, note 2.

⁴ Although "Papers No 1, 2, and 3" have not been found, see Washington, *Writings* (Fitzpatrick), 13:485-91, for Washington's January 8, 1779, "Sentiments and observations" on "the then ensuing Campaign."

John Fell's Diary

[August 16–17, 1779]

Monday 16th. Coml. Committee. Congress. Letters, Memorials &c. A very extraordinary motion was made to Postpone the Resolution for half Pay for Life to the Officers to make way for a Motion for the States to Provide for them in their Own way.¹

Tuesday the 17th. PM Sett off for Petersfield and Returnd to Philadelphia in the morning of Monday August the 30th.²

MS (DLC).

¹ Although this "very extraordinary motion" may have been made during debate over the report of the committee of conference taken up on August 16, the resolution postponing "that part of the report for extending the half pay" was actually passed the following day, along with another resolution recommending that the states make "adequate compensation," for which see *JCC*, 14:971, 974–75. For further information on the half-pay issue, see Fell's Diary, July 27, note; and John Jay to George Washington, August 20, note 1.

² Although there is a break in Fell's attendance from August 17 to 30, he reported continuous service from December 1, 1778, to June 13, 1780, in subsequently rendering his accounts to the New Jersey assembly. Stryker Collection, Nj.

John Jay to George Clinton

Sir, Philadelphia 16th Augt. 79.

I have the honor of transmitting to Your Excellency a copy of an Act of Congress of the 12th Inst, against John Douglass late Commander of the Privateer Schooner called the Hunter.¹

You will also receive herewith enclosed a copy of a memorial of Mr. Nicholas Low of the State of New York & of the certificate from Major General Sullivan referred to in it. By an Act of Congress of the 10th Inst, of which the enclosed is a copy, these Papers are ordered to be transmitted to Your Excellency, & the Vessel mentioned in the Memorial to be delivered to Your Order.²

I have the honor to be, With great Respect & Esteem, Your Excellency's most Obedt. Servt.

LB (DNA: PCC, item 14).

¹ See Jay to the States August 14, 1779, note 2.

² *JCC*, 14:941. Low's memorial, explaining his ownership of the sloop *Sally*, and Sullivan's affidavit, certifying that he had employed the said sloop "in the service of the United States," through Low's agents Messrs. Clark & Nightingale, are in PCC, item 41, fols. 212–16. Low had petitioned Congress to secure possession of the *Sally*, but since New York apparently had a claim to the vessel as well, Gouverneur Morris and James Duane probably obtained this congressional order so that Low would have to proceed through the state in order to secure its recovery.

John Jay to Jeremiah Wadsworth

Sir

Philadelphia 16 Aug. 1779

The Reasons which at present induce many good men to avoid holding Places on the Staff Departments, ought in my opinion to stimulate them to accept them. These Departments are important. The Public suffers from the Clamors which prevail against them, and perhaps no measure would tend more to restore them to the Confidence of the People, than for Men of known and established Reputation in each State to take Employments in them.

These Considerations have induced me to press my Brother¹ to offer you his Service. Tho bred a merchant, he has since the Evacuation of New York declined Commerce; & tho constantly engaged in public Business, has hitherto declined those Places in which a mans Reputation is often exposed to little Jealousies and unmerited Censures.

I am Sir with Esteem & Regard, your most obedt. & hble Servt,
John Jay

RC (Mr. Sol Feinstone, Washington Crossing, Pa., 1976).

¹ Frederick Jay (1747–99), who subsequently explained to John in a letter of September 7 that he had met with Wadsworth, “but from the Conversation that passed between us, I am confident that it will be out of his power to serve me in the way I would chuse.” See Jay, *Papers* (Morris), p. 634.

Marine Committee to John Beatty

Sir

August 16th 1779

Enclosed is a list of Prisoners delivered to the British Consul at Corrunna by Captain Wingate Newman of the vengeance Privateer in October 1778.¹ You will please to send a Copy of this List to the British Commissary at New York and demand in Exchange an equal Number of Prisoners of the Same quality as those specified therein. As this list is Authenticated by the Consul and is the Only one we have got, we would have you be careful not to let it out of your hands until an Exchange is made. We are Sir, Your hble Sevts

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The list of prisoners enclosed with this letter has not been found, but for another list of the prisoners taken by Captain Newman and a number of other documents related to this case located in the British Public Records Office, see K. G. Davies, ed., *Documents of the American Revolution, 1770–1783*, 21 vols. (Dublin: Irish University Press, 1972–81), vol. 13, nos. 2289i–iv, 2307.

Committee on Appeals Decree

August 17th. 1779.

Samuel Ingersol &c. Lib[elan]ts & App[ellan]ts vs The Brig Recovery her Cargo &c. Thomas Houston &c. Claim[an]ts & App[ell]ees	}	Appeal from the State of New Jersey ¹
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We the Commissioners appointed by the honorable Congress to hear, try and determine all Appeals from the Courts of Admiralty of the several American States having inspected the Copy of the Record or Minute of the Proceedings of the Court of Admiralty of the State of New Jersey in the above Cause (transmitted to Congress and the Indorsements of the Secretary of Congress made thereon) And it appearing manifestly to Us therefrom that the said Record was not lodged within forty Days from the Time of demanding the Appeal in the said Cause by the said Samuel Ingersoll and others according to the Resolve of Congress in such Case made and provided do thereupon adjudge and decree that the said Appeal be dismissed hence with Costs, And We do assess the said Costs at three hundred and sixty six Dollars which Sum We order and decree that the said Samuel Ingersol, Moses Griffin and John Turner the Appellants shall pay unto Thomas Houston, Hugh Stocker and James Josiah the Appellees for that they the said Appellants did not prosecute their Appeal to Effect &c.

Hy Marchant

Edmund Randolph

Jesse Root

MS (DNA: RG 267, case no. 55). In a clerical hand, and signed by Marchant, Randolph, and Root.

¹ The New Jersey Court of Admiralty on October 26, 1778, had ordered the brigantine *Recovery* and her cargo divided among all six libelants and claimants "in proportion to the Tun and Guns on Board their respective vessels at the time of the capture." Six privateers commanded by Moses Griffin, Thomas Houston, Samuel Ingersoll, James Josiah, Hugh Stocker, and John Turner were present when the *Recovery* struck her colors off Egg Harbor, N.J., on August 20, 1778. Griffin, Ingersoll, and Turner, operating as a group, then libeled the ship and Houston, Josiah, and Stocker filed a competing claim. Griffin, Ingersoll, and Turner then appealed to Congress, which referred the appeal to the Committee on Appeals on March 1, 1779. In this decree the committee upheld the state court's decision. See *JCC*, 13:263; and case no. 55, RG 267, DNA.

Joseph Hewes to Richard Caswell

[August 17, 1779]¹

[. . .] I had the pleasure of writing to your Excellency on the 27th ultimo since which I have been much distressed with a continual head ach attended with a kind of stupor which renders me unfit for

business of any kind and altho I do attend Congress yet I cannot pay that attention to business which the urgency of our affairs seem to require. Three great objects require our most serious attentions, the affair of our Army, our paper Currency with which our Finances are connected and the ultimata for peace. You will be surprised when I tell you that notwithstanding the absolute Necessity of a speedy determination on all those points they have been alternately under consideration for several months and no determination yet had on any of them.

By the best Accounts we have able to get it appears that Great Britain intended to make this a Vigorous Campaign, four thousand² Troops were coming out with Admiral Arbuthnot and 3000 more were embarked in the West Indias supposed for Georgia or South Carolina. It has been fortunate for our Country & our cause that our great Ally has found means to prevent these reinforcements from coming to this Continent. Some persons believe those with Arbuthnot will yet appear. If they do it will be too late to perform any great matters this Campaign. We have no late Official Accounts from France but expect them dayly by the Count de La Luzerne lately arived at Boston. I enclose your Excellency an Abstract of a Letter from our Agent at Martinico³ also sundry News papers. Our Successes & those of our Ally afford much pleasure and I hope will dispose our Enemies to think seriously of Peace which must be very desirable to most of the States in the Union.

I have the honor to be with much respect & esteem, dear Sir, your Excellency's mo Obed hum Servt. Joseph Hewes

Reprinted from *The Month at Goodspeed's* 17 (May 1946): 257–58. RC (photocopy of second page of manuscript, *ibid.*, p. 257).

¹ This date is taken from Goodspeed's catalog.

² From this point the text is taken from the RC.

³ See James Lovell to Abigail Adams, August 9, 1779, note 5.

James Lovell to Samuel Adams

Dear Sir

Aug. 17, 1779

Your favr. of the 5th is before me. I am pleased with the Caution as to the Penobscot Reports. But I long to be *fully disappointed* about that Business. I know not the moment that I have dared to think it would be successful, owing to my persuasions that you abound with infamous Tory Informers whom an *Embargo* does not effect. They have regular *Posts*. How did my Brother¹ get so early into New York if not by a Chain of Aids. One of yr. Papers speaks of a public Entry of the Fr. Minister to be made at Boston. Prithy dont be foolish. He is not a minister till he gets *here*.

Do look at Holt's Aug. 12.² See the Paca-Drayton Folly authenti-

cated as by a *Comtee*. I think now we may *any of us* talk about *general Pacifcat[i]o[n]*. The Rascals mean to make some of us appear to be the sole Causes of the Continuance of *War*, throwing out of Sight that there never was any *honest* proposition or even *desire* of Peace in Britain that we knew of. While Rowland³ gives out Vouchers. *Short Specs* should in other Quarters spring from them to show the Propriety of supporting a Virtuous Servant in a Republic against any Convenience that may be pleaded of a temporary kind for his Removal founded in little Injuries done to his Character by his avowed Enemies. His Fame will be greater & consequently his services after it has safely undergone Trial in the Crucibles of Malice & Envy.

Cunning Folks here are for prefecting & forwarding to a *proper* Negociation, the Patchwork *now* on our Table through the Mediation of Spain is rejected because, say they, it will shew our *Moderation* to Europe, when Gr Br. makes her Appeal to them of her *Necessity* to go on with Blood. I fear Mr. J.A.⁴ would not trust himself again in such a Kind of Service as he has experienced. But by pushing for A first and compromising for an unanimous Choice, our worthy Friend A would be the Man.

I believe we shall be able to combat Half pay *for Life*, only by an Exchange of that Motion for a Recommend[ation] to the states to do Justice by Half pay fir[st] or such other Provision as *they* may find adequate to the Intentions of the first Motion which are to keep the army together some of whom do, what I call, *menace* the Continent, making a stalking Horse of their *real* Sufferings.⁵

Your West india News is not *quite* true. If D'Estaing does not take Antigua I cannot conceive what his Plan is. I begin, as I grow daily more & more ragged, to think seriously about *Home*, if I may be said in my ruined State to have such a Place. Are any Gentlemen disposed to come this Way who are already on the List? I am astonished at the Expenditures. And chuse that new Subjects should show to our State that there is not a Levity in the old ones springing from long Residence here. But, moreover, while my own Expences are in horrid Ration upwards are not my Family's also, tho' my Recompence for Time may be stationary. If I tarry here I must give the finishing Stroke to the Bread of my Children, for I must buy a Peice of Linnen if not Breeches also. Whereas out of the Deligation I might make out to go bare Back & Bum, especially If I go among Brethren of the Wigwam to spend my latter Days; and I have scarcely any other Prospect. I have taken 4,000 Dollars of the Treasury here, the Doctr.⁶ 4 & Gerry 5. I suppose our next Necessity will be 8. Other Delegates go in that Proportion.

Jemmy D. is going or gone.⁷ Johny P.⁸ barned his Horse at Chester & turned back till he can have good Moon shine Nights. The Merry Grig⁹ goes as you know on the *first* of August. I shall know the day when he is *gone*. Will *nobody* come to take our Chair in the cool Month of Novr? I wish Ellsworth would. Adieu.

Remember to Mr. Avery.

[P.S.] I wrote long ago to Dr. Cooper and to Genl. Warren¹⁰ to give me some authentic State of the Line between Nova Scotia & us. Who will be "Commissioners *properly chosen*" now, to settle it between *Br* & the *United States*. Let *Mass.* consider that Sentiment.

Deliver the Journal to Mrs. L—— as soon as I send any of the same to the Court or to you.

R.H.L. is quite confined by an epedemic Cold. I write constantly to him and, Sir, have punctual Returns.

RC (NN: Adams Papers). In Lovell's hand, though not signed.

¹ Probably John Lovell, who had been imprisoned in Boston as a loyalist in 1776 but made his way to Great Britain via New York. Edward Alfred Jones, *The Loyalists of Massachusetts* (1930; reprint ed., Baltimore: Genealogical Publishing Co., 1969), pp. 201–3.

² That is, John Holt's *New York Journal* (Poughkeepsie).

³ That is, Richard Henry Lee.

⁴ John Adams.

⁵ See Lovell to Samuel Adams, August 12, 1779, note 3.

⁶ That is, Samuel Holten.

⁷ James Duane, who departed on August 16. See John Jay to Robert R. Livingston, August 18, 1779.

⁸ Probably John Penn.

⁹ Perhaps Cyrus Griffin.

¹⁰ No such letters to Samuel Cooper and James Warren have been found.

James Lovell to Richard Henry Lee

Dear Sir

Aug. 17th. 1779

Your Favor of the 7th is in my hand. I am surprized that you had not then heard of the Arrival of Ford on the 1st at Metompinkin.¹

Mr. J. Adams was at Braintree on the 3d and Count Luzerne in Boston.² I have no Dispatches from either; but I have a Letter from Nantes of May 25th, Extract of which you will see in the Paper of Tomorrow, as well as the Continuation of Rowlands Communications,³ of Part of what you think ought to be published.

You talk of your having a Sort of right to a Copy of the Papers sent by Arthur, you little know of the droll motion made by your merry Friend,⁴ to stigmatize Ar[thu]r for having enclosed to an Individual what he desired might be communicated to a *secret Commtee* of Congress to prevent the Consequences of a *palam* Examination of the Vouchers. But, as on the one hand I contended for an open reading of the whole that was sent, I most easily convinced the House that every Officer in their Service has a Right to communicate *such* Papers as these in question to any Individual Friend, on whose Judgment he chuses to depend either to present or burn Resignations, Memorials and Defenses, these being *personal* Concerns; and I mentioned having by me some Things thus inclosed upon

which I should act my sovereign Pleasure. I thought this necessary, that I may act with a good Grace, if I should see cause to give in any of the Papers now in my Trunk at a Time when it will not be possible to prove a late Arrival. The Motion was withdrawn Inch by Inch. I, pledging myself to prove that Congress never had an *official* Paper kept from them by the Mode mentioned in the Motion vizt. covering *Dispatches* of a Minister to an Individual. I mean I pledged myself so far as concerns Ar Lee Esqr. Your Brother was totally mistaken as to D's Credit here. But I wait with impatience to know more by Mr. Adams. Our Penobscot Expedition is not yet well over. Collier *may* do great hurt there: I have a few Lines from Mr. S A he is as you think greatly engaged in Town and *Body* Meetings & in the general Assembly. They have great Expectation of mending the Currency by vigorous Taxation & Loan. But I look for Credit to the poor *eastern* States mainly from a successful Expedition, though even in that Case W.H.D. will be against them: he spouted an invidious motion about their sending *their* Fleet to relieve Sth Carol. & Georgia. Observe the cursed Rascality of sending to New York as well as to Boston the Paca-drayton Effort, though in the former case there is a supererogatory Lie of its being a Comtee. Information.

I find *that* Paper is stolen from me. It was either Pokipsie or Fiskill you can get it by Enquiry of yr Printer.⁵ I have recovered it.

The Party are provoked beyond measure at seeing the Vouchers sent out by Rowland; but I tell them, "they are free for any member who chuses to use them, only it is at his Peril if he does not guard against offending France, Spain or Prussia or exposing *honest Whigs* to Danger." The affair of Berkenhout can be put in a Light to damn D's⁶ Virulence exerted under pretended Care of the public Safety. Simple Views must be first given of the State of Facts and at the Close a Freedom in Inferences, Reflections & Brands may be taken. Indeed this Part may be performed in the different States upon an Exhibition of Vouchers here. It will have more effect by springing from different Quarters. The main point will be to establish the Propriety of supporting Merit in Republics against Envy & Falsehood, rather than suffering it to be crushed from a foolish Idea of Convenience to the Public. The contrary would be to induce eventually a *maximum* to avoid a present *quid* detrimenti. I wish yr. Health may suffer you to attend to this. *Specs* should be *short* to be *generally* read.

J.L.

[P.S.] I will attend to yr. Req[ue]st about Beaumarchais charge. I have no reasons, now in favr. of giving the Resig. but rather the opposite. Neither perhaps shall I consult more than Laurens, Whip. & March.⁷

RC (PPAmP: Lee Papers).

¹ For the recent arrival of Arthur Lee's former secretary Hezekiah Ford, see Lovell to Abigail Adams, August 11, 1779.

² Anne-César de La Luzerne (1741–91) had reached Boston on August 3. La Luzerne, the son of the comte de Beuzeville, had a varied military and diplomatic career. Before his appointment as French minister to the United States in April 1779, La Luzerne had served as French chargé d'affaires in Bavaria during the crisis of the Bavarian Succession, 1777–78. For a detailed discussion of his career, see William E. O'Donnell, *The Chevalier de La Luzerne: French Minister to the United States, 1779–1784* (Bruges: Desclée de Brouwer, 1938).

³ A reference to a series of essays written by Richard Henry Lee over the pseudonym "Rowland," in defense of his brother Arthur. They were printed in the *Pennsylvania Packet* on August 10, 17, 24, and 31, 1779, and are reprinted in the *Deane Papers* (NYHS Colls.), 22:49–53, 63–67, 73–83.

⁴ That is, Meriwether Smith. For the handling of Arthur Lee's proffered resignation by his friends in Congress, see Lovell to Samuel Adams, July 16, 1779, note 6.

⁵ For the issue of the *New York Journal* (printed in Poughkeepsie) referred to here by Lovell, see Lovell to Samuel Adams, August 17, 1779, note 2.

⁶ Silas Deane.

⁷ That is Henry Laurens, William Whipple, and Henry Marchant.

Marine Committee to the Eastern Navy Board

Gentlemen

Philada. Augt. 17th 1779

Since our last of the 16th ultimo we are favoured with yours of the 14th and 19th July and 5th Current.¹ As it is the intention of Congress not to make any new Officers in the Navy until those already commissioned are put into employment, we wish to be furnished with a list of the names of such Officers as have resigned or been dismissed the service, also, such as are now Acting without Commissions with their qualifications and characters; and the Officers who are in private service, who when they are wanted for the public service should be called into it. It is our desire that you purchase for the Public Account the Prize brig mounting 12—12 pounders taken by Captain Talbot in his late Cruize should she be suitable for a Cruizer and not sold before this gets to your hands. We are glad to hear of the arrival of the Minister from the Court of France—and hope shortly to hear that the expedition to Penobscot will be successful. We are Gentn, Your Hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The board's letters of July 14 and 19 and August 5, 1779, are in the Eastern Navy Board Letterbook, NN.

Gouverneur Morris to Thomas Johnson

Sir,

Phila. 17th Augt. 1779.

I have the Honor to acknowledge your Excellency's Favor of the 13th Instant.¹ Permit me at the Same Time to express my Thanks for the Attention which in this as in every other Instance hath been given to the Requests I was necessitated to make to your Excellency

& the Council. The Variations and Contradictions which have been observed could not but have arisen from the Very Nature of Things when it is considered what a Variety of Circumstances extremely changeable attend a Defensive War like the present. To these nevertheless must be added the Inaccuracies of our Commissaries and others in the great Departments. Thus will our own American Concerns go a great Way in the Production of seeming Blunders. What then must be the Case when the Arrangements also depend upon the Motions of Fleets acting in the West Indias and the Intelligences received from that Quarter of Determinations founded on Orders from Europe. I have the Honor to be with the greatest Respect, your Excellency's most obedient, & humble Servant. Gouv Morris

RC (MdAA: Red Books).

¹ The Maryland Council's August 13 letter to Morris is in *Md. Archives*, 21:491–92.

Nathaniel Peabody to Josiah Bartlett

Dear Sir,

No. 5.

Philada Augt 17h. 1779

Your favour of the 30th ulto. no. 3 per the Post Came to hand Yesterday.¹ I am hapy to find that our paper Currency is in Some Measure retrieving its Lost Credit—And that the prices of the Necessaries of life has got the falling Sickness—that there is a prospect of a plentiful Harvest with You this Season. I am anxious to know the fate of the Penobscott Expedition. "It is believed here that the Enemy have Sent a Considerable reinforcement from N. York—hope they will arrive too late to prevent our Success. Notwithstanding the reinforcement Said to be expected by the Enemy, from Great Britain, it is pretty Certain the movements of the French & Spanish Courts raised Such fearful apprehensions, at the Court of Britain, That Admiral Arbuthnott with 4000, of the land forces, destin'd for America, had not Sailed, when our last accounts Came from thence, which was Some time after they were Said to have Sailed &c. And by Some Circumstance lately Come to my knowledge lead me to Conclude his attention will be engaged by objects Nearer home. I omit mentioning the favourable, intended, operations of the Courts of France & Spain, on a presumption you will have intelligence much Earlier. I inclose You the Journals of Congress as published from the 21 of June to the 26th of July—as also Several News papers which may Serve for the perusal of the Honl Committee of Safety. I need Not inform You that therein another Journal of proceedings not yet made Public as many matters to which they refer remain unfinished.

I have many Things to write unto you, which must be posponed till a proper time to unbosom myself to you freely—if I

live to return home Shall exert every Nerve to induce the State to assert Support, and maintain her Sovereignty & independance, against the Tyranic Strides of Certain Aristocrated Gentry now in ——— and using their Hostile influence to Subjugate the E. *(States)* & force them to a Compliance with Measures injurious, degrading, & Contrary to every republican principal. This moment while I am writing, a Long letter dated Passey May 26, 1779 has Come to hand from Dr. Franklin² and as the Secretary is Reading it I extract the following— viz “Admiral Arbuthnott has been detained for Some days, from Sailing for America on account of the affairs of the Jersies & Guonsies [Guernsies] *Éc Éc* and it is the general opinion here that an invasion against England or Ireland is intended.” “Genl & Lord Howe, Generals Cornwallis, and Grey, Colo. Montresor, Capt. Hammond & others, have Some time since declared as their opinion that the Conquest of America was impossible & ought not to be pursued but hear that John Maxwell Esq., Joseph Galloway Esq., Andrew Allen Esq, John Patterson, Theopls. Morris, Enoch Storey and Jabaz Fisher are to be Examind this week to prove the Contrary.”

I beg you'l write as often as possible my Compliments to the Honble Committee. I am Dear Sir with Great Sincerity, Your most Obedt., and very Humbl Sev't, Nathl Peabody

[P.S.] Please to Excuse incorrectness as I have not read what I have wrote.

RC (NhD: Bartlett Papers).

¹ Not found.

² Benjamin Franklin's lengthy May 26, 1779, letter to the Committee for Foreign Affairs was read in Congress this day and referred to committee. See *JCC*, 14:972; *PCC*, item 82, 1:134–53; and Wharton, *Diplomatic Correspondence*, 3:186–94.

Jesse Root to Samuel Holden Parsons

Dear Sir

Philadelphia Augst. [17]¹ 1779

I recd your favour of the 8th Inst. and fully Concur with you in Sentiment with respect to my not Calling upon you, with this difference, that if I had been previously told that I should not, I Should have scarcely beleived it possible.

But the Case was this, I arrived at New Windsor in the afternoon—at Sun set the tide not favoring Sooner. I embarked in a boat for head quarters, where I was told you was arrived there between Eight & nine oClock—next morning the Gen'l proposed to me to ride out and View the works & lines which I very readily Complied with, the Genl himself very politely went with me & to every other place which I Suggested I wished to go. I expected to have Seen you at Genl Putnams where a board of Genl officers were met—but not finding you there & being informed that it was very uncertain whether you

was at your Quarters—the day being far advanced & being uncertain whether I should find you at home & unwilling to trespass too far upon the great Complaisance of the Genl I did not propose Crossing the river—not from want of friendship or of a desire to See you. Your letter to the President was Yesterday read in Congress & referred to the board of treasury to give you Satisfaction respecting the money.²

Your right to promotion I believe is unquestionable & the first Opportunity that offers it Shall be urged. Every office of Justice & Friendship in my power you may depend, I Shall do you, & Shall be happy in receiving your Commands & in keeping up a Constant Correspondence. We have received a long letter from Doctr. Franklin,³ which Came in the Frigate that brot over Mr. Adams & the New Minister from France—by it great preparations are making in France for Some important expedition. It is Suspected Ireland or Scotland is the object and there are great Insurrections & tumults in both those places. The Troops designed for America under Convoy of Admiral Arbuthnot are gone to Jersey where at least they will be delayed Sometime.

For further particulars of news refer you to the Inclosed paper as the Express is going.

I am dear Sir with Esteem & respect, your Obedt, humble Servt.

Jesse Root

RC (OC1WHi: Parsons Papers).

¹ Root simply left a space for the day. This date has been inserted because the letter from Parsons discussed in note 2—which Root states “was Yesterday read in Congress & referred to the board of treasury”—is clearly Parsons’ August 6 letter to Congress that was received on the 16th.

² Parson’s August 6 letter to President Jay was read in Congress on the 16th. See *JCC*, 14:968; *PCC*, item 161, fols. 339–42; and John Jay to Parsons, August 18, 1779. For the action proposed by the Board of Treasury “respecting the money” that was the subject of Parson’s concern, see Elbridge Gerry’s Draft Letter to Parsons, September ? 1779. For Parson’s August 29 response to Root, reporting that he had not yet heard from the Board of Treasury and amplifying the concerns that he had expressed in his August 6 letter, see Charles S. Hall, *Life and Letters of Samuel Holden Parsons* (Binghamton, N.Y.: Otseningo Publishing Co., 1905), pp. 265–69.

³ Franklin’s May 26, 1779, letter was read in Congress on August 17. *JCC*, 14:972.

Samuel Huntington to Jeremiah Wadsworth

Sir

Philadelphia 18th August 1779

Your favour of the 8th Instant I receivd by Mr Flint. Am very Sorry you think of quitting your department so soon,¹ the Risque is so great in appointing a new person to the Office which must be attended with most Serious consequences if he proves unequal to the business.

Have Conversd some with Mr Flint² & the Committee will obtain

from him all the Information they can on the Subject of the Commissaries department.

Last Evening a Capt Taylor an Enterprizing man came into the River. Tis said he hath taken a packet from England, for N. York & obtained the mail by Jumping in at the Cabbin window when he found it was a packet & Seizing the Captain as he was throwing over the mail. Capt Taylor is not yet got up, but if the account Should prove true it may produce some usefull discoveries.

I am Sir with Sentiments of Esteem, your humble Servt,
Saml Huntington

RC (CtHi: Wadsworth Papers).

¹ Congress finally accepted Wadsworth's oft-repeated offer of resignation as commissary general of purchases on November 29, and elected Ephraim Blaine as his successor on December 4. *JCC*, 15:1184, 1200, 1326, and 1349.

² Royal Flint of Connecticut was an assistant commissary of purchases, 1778–80. Heitman, *Historical Register*, p. 178.

John Jay to George Clinton

Dear Sir,

Philadelphia 18 August 1779.

I send you two Sets of the Journals of Congress, two acts of the Legislature of Virginia, one for establishing a Land Office &c, the other laying a Tax payable in certain enumerated Commodities, six news Papers, from the 5th to the 18th Inst. inclusive, 3 parcels of German ones, and an Essay on Trade and Finance by Pelatiah Webster.¹ There are also enclosed with this Letter, two for my Brother Frederick and one for the Chancellor, which I take the Liberty of committing to your care.²

Mr. Duane, who set out from home last Monday,³ will give you much interesting Information. Mr. Morris will also be with you soon.⁴ I should have written by Mr. Duane, but want of Leisure as well as want of Health prevented me.

Mr. Morris will explain to you very fully the Steps which in our opinion are necessary to be pursued respecting the Grants. I, therefore, forbear saying any thing on that Subject now.

The Exertions of our State have placed her in a very respectable Point of View, and permit me to tell you, that your march to the Highlands has given occasion to many handsome things being said & written of you here.

In my Letter to the Chancellor is enclosed a Resignation of my office. Say nothing of it till you see him. You will find no Reasons assigned for this measure; to you they would be unnecessary. I shall return to private Life with a Determination not to shrink from the Duties of a Citizen, during the Continuance of the present Contest I

consider the Public as entitled to my Time & services. My best Respects to Mrs. Clinton. I am, Dear Sir, very sincerely yours &c.

John Jay.

Reprinted from Clinton, *Papers* (Hastings), 5:198–99; and Jay, *Papers* (Morris), pp. 624–25.

¹ Doubtless Webster's 20-page *Essay on Free Trade and Finance, Humbly Offered to the Consideration of the Public*, which is dated Philadelphia, July 24, 1779, and bears the inscription "To the Honourable The Continental Congress." Webster also wrote another, similar essay at about the same time Jay was writing to Clinton, which bore the title *A Second Essay on Free Trade and Finance, Humbly offered to the Consideration of the Public*. Both were "Printed and sold by Thomas Bradford," but the latter was dated Philadelphia, August 20, 1779, and was inscribed "To the Honourable The Legislatures of the Thirteen United States of America." Evans, *Am. Bibliography*, nos. 16,670, 16,671.

² The letters for Frederick have not been found, but for Jay's letter "for the Chancellor," see the following entry.

³ That is, August 16.

⁴ Gouverneur Morris obtained leave of absence on August 25, the last day he is mentioned in the journals until October 6, when he "attended, and took his seat in Congress." See *JCC*, 14:993, 15:1146.

John Jay to Robert R. Livingston

Dear Robt.

Philadelphia 18 Augt. 1779

Your favor of the 25th of last month arrived here last week. I hope in a few Days to have more Leizure and better Health. You may then expect a longer Letter than you will now receive. Mr. Duane is on the Road to Kingston and Morris will follow him the latter End of the week. They will give you a full State of Affairs here.

Enclosed is a Letter to the Council of appointment—resigning my office—Seal & deliver it.¹ I have mentioned it in a private Letter to the Govr., but desired him to say nothing of it till he sees you. I assign no Reasons for it, of Course every one will indulge his own Conjectures—as I think the State has a Right to the Time and Service of all its Citizens during the present War, I shall have no objections to a Seat in Assembly provided it be not as a Member for the City & County of New York. I have many Reasons for not going into the Senate.

Adieu, I am very sincerely, Your Friend.

John Jay

RC (NH: Robert R. Livingston Papers).

¹ Jay's enclosed letter, addressed "His Excellency George Clinton Esqr. and others, The Members of the Council of Appointments for the State of New York," merely reads: "Gentlemen, I do hereby resign the office of Chief Justice of the Supream Court of Judicature for the State of New York, And am Gentlemen Your most obedient Servant, John Jay." Gunther Collection, ICHi.

John Jay to Samuel Holden Parsons

Sir, Philadelphia 18th Augt. 1779.

I have been favored with Yours of the 6th Inst.—Congress referred it to the treasury-Board who will write to You on the Subject.¹

I have the honor to be Sir, With Respect & Esteem, Your most Obedient Servant.²

LB (DNA: PCC, item 14).

¹ See *JCC*, 14:968; and PCC, item 161, fols. 339–42. General Parsons had explained that he had invested all his funds in the Continental cause, “Satisfied that at some future Period my Country would do that Justice which they had promis’d me by paying their Debt at the nominal Value of the Bills they had emitted,” but that by Congress’ lengthy fiscal resolves of June 29 it appeared to him they had a different intention. If therefore the sixth and eighth articles of those resolves did in fact mean that Continental bills “must be redeemed at a discount,” he requested leave of absence to attend his private concerns. For the action of the Board of Treasury on Parsons’ letter, see Elbridge Gerry’s Draft Letter to Parsons, September ? 1779.

² This day Jay also wrote a brief note to Dr. William Kilty, “surgeon’s mate to the 5th Maryland regiment,” simply acknowledging receipt of his letter to Congress of July 24. Kilty, also alarmed at the uncontrolled depreciation of the Continental dollar, had proposed that Congress call in all Continental bills in circulation and strike new issues at the rate of 1 to 15 of bills withdrawn. Congress took no action on Kilty’s letter. See *JCC*, 14:952; and PCC, item 78, 13:521–24.

John Jay to George Washington

Sir, Philadelphia 18th Augt. 1779.

Since the date of my last, I have been honored with Your Excellency’s Favors of the 5, 5, 6 & 11th Inst. with the several papers mentioned in them.¹

I have now the honor of transmitting to Your Excellency a copy of an Act of Congress of the 16th Inst, paying the Soldiers for deficiencies in Cloathing²—and also a Copy of a Circular Letter from Congress to the several States,³ which I am happy to find corresponds with the Sentiments expressed in your Excellency’s last Letter.

With perfect Esteem, And Regard, I have the honor to be Your Excellency’s Most Obedt. Servant, John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ The first three of these letters to Congress are in PCC, item 152, 7:465–72, 483–84. All four are printed in Washington, *Writings* (Fitzpatrick), 16:51–54, 59, 77–80.

² See *JCC*, 14:970–71.

³ See Jay to the States, August 14, 1779.

John Jay to James Wilkinson

Sir, Philadelphia 18th Augt. 1779

Your favor of the 14th Inst, was referred to the Board of War, with direction to take order on it.¹

Herewith enclosed is a copy of an Act of Congress of the 16th Inst, directing the manner in which the Soldiers are to be compensated for deficiencies in Cloathing.²

I have the honor to be Sir, Your most Obedient & Humble Servant.³

LB (DNA: PCC, item 14).

¹ Wilkinson had sought clarification from the Board of War on August 12 for his authority as clothier general to appoint clerks and assistants, but the board had responded that they had "no discretionary power" to authorize such appointments. He thereupon appealed to Congress on the 14th to augment his authority, which he termed "immediately Necessary for expediting the Business" of the clothing department, but Congress merely referred his case back to the Board of War. See *JCC*, 14:968; and *PCC*, item 78, 24:71–78.

When he failed to receive a response from the board, Wilkinson broached the subject with General Washington in October, but he was offered no tangible relief despite Washington's concurrence that the clerks and assistants specified were indeed essential. Washington, *Writings* (Fitzpatrick), 16:438. For Wilkinson's administration as clothier general, see also Risch, *Supplying Washington's Army*, pp. 276–79.

² See *JCC*, 14:970–71.

³ This day Jay also sent a brief letter to Capt. Job Sumner of the 3d Massachusetts Regiment notifying him that his August 10 letter to Congress had been referred to the Board of War. *JCC*, 14: 968; and *PCC*, item 14, fol. 174, item 78, 20:455–58. For the resolution of Sumner's claim that in the recent "arrangement" of the Massachusetts line his seniority had been disregarded, which dragged on more than a year and eventually required another petition to Congress and an appeal to General Washington, see President Samuel Huntington to Sumner, December 15, 1780.

Francis Lewis to George Clinton

Dear Sir, Philadelphia 18 August 1779

I am now to acknowledge the receipt of your favor of the 25th Ultimo. I cannot forbear to reecho your congratulations upon our late successes at Stony Point &c, permit me now to add that of the Enemy's retreat from So Carolina, Count de Estaing's success in the West Indies, together with the favourable account of the expedition to Ponobsicot, and the taking of a Packet from Falmouth with the Mail on board; The Governor of this state informed Congress by letter this morning, that he had sent off two trusty Messengers to bring up the Mail from Egg Harbour, the particulars of this Capture is related in the News-paper herewith, when the contents of the Budget is announced to Congress, I will communicate whatever may be material.

The Chavalier De La Lucerne the Minster who is to relieve Monsrs. Gerrard is arrived at Boston together with Mr. J. Adams, & are

expected here daily; by the frigate which brought them over Congress have received a long & circumstantial letter from Doctr. Franklin, the intelligence he furnishes are equal to our most sanguine expectations on that side the Atlantick, except the State of our Finances which are at a low Ebb, & also some hints thrown out by our generous Allies, as tho' we were languid in our exertion towards bringing a sufficient number of Troops into the field, and in my opinion not without some foundation.

Mr. Duane who is now upon his journey to the Manor will I suppose, in person give you information as to the proceedings in Congress. By this Express I send you their weekly printed Resolves; for the perusal of the legislature now sitting. I have collected twenty Copies of each sett and now send you four of each, Shall Send the remainder by other opportunities.

I shall only beg leave to make the following remark ie the little State of Nw Jersey allow their Delegates in Congress twenty Dollars per diem, & a dollar is rated here in the purchase of necessaries equal to three pence of the old Currency. In the Years 1775 & 76 board & Lodging were at four dollars per week exclusive of liquors, it is now at 100 dollars per week liquors 60 dollors. In short the Delegates of every other State in the Union have a more ample allowance than ours. You'l excuse this hint, but with me it is become necessary having been plundered of nearly my whole property by the Enemy.

I have the Honor to be, with the greatest Regard, Your Most
Obedient Humble Servant Fra. Lewis

P. S. Pray communicate to the Chancellor¹ when you see him.

RC (MeHi: Fogg Collection).

¹ That is, Robert R. Livingston.

Samuel Holten's Diary

Augt. 19th [1779].

Thursday. Colo. Partridge arrived here from Masstts. a delegate.¹
This day I took my seat at the marine com[mittee], congress having appointed me thereto.²

MS (MDaAr).

¹ George Partridge first attended Congress the next day. *JCC*, 14:980.

² Holten was appointed to the Marine Committee on August 17, "in the room of Mr. S. Adams." *JCC*, 14:972.

Committee of Congress to Nathanael Greene

Sir, Philadelphia, August 20th, 1779

We have received your Letter of the 10th, with the Accounts therein mentioned, and shall be obliged to you for the "Estimate," which you say you can furnish, "of the Camp Equipage and Stores for such an Army as is mentioned, together with the Teams & Apparatus proper to put it in motion, with the Artificers, Waggoners, and other different Agents of every Denomination to accompany it."¹

When we had a Conference with Colo. Cox, among other things, we desired in particular to have as soon as possible a Return of the number of Horses and Teams, purchased since the 2d of March 1778, & the prices, and the number now belonging to the Continent, which he gave us reason to expect we should receive in a short time. We also requested an Account of the Quantity, Species & Prices of Forage purchased in the same time. This Return and Account we should be very glad to receive.

We inclose a Copy of Mr. John Bancker's Memorial referred to us;² and as it relates to a transaction in your Department, We desire you will be pleased to order an Enquiry to be made, and a State of the Facts to be transmitted to us.

We are Sir, Your very humbl. Servts. John Dickinson
Nath. Scudder

RC (PCarID: Founders Collection). In a clerical hand and signed by Dickinson and Scudder. Dickinson's draft of this letter is in PCC, item 41, 1:192–93.

¹ For the committee's request for this information from Greene, see both Committee of Congress to the Continental Boards and Departments, and John Dickinson's Committee Notes, June 7, 1779.

² In his August 14 memorial, which was read in Congress the same day, Bancker, a deputy barrack master in New York, sought relief from Congress' May 26 resolve dismissing all deputy barrack masters not at Philadelphia or Charlottesville, Va., and placing barracks under the direction of the deputy quartermasters. See PCC, item 41, 1:188–91; and JCC, 14:644–45, 952.

John Jay to Thomas Cushing

Sir, Philadelphia 20th August 1779.

I had been honored with your Favor of the 5th Inst, which was immediately communicated to Congress.¹

The Aspect of our affairs in Europe & the West-Indies is pleasing, & it is probable that this Campaign will terminate the Ravages of the Enemy in this Country, tho' it may not perhaps put a period to the War.

Your Sentiments of the Count are much in his favor—Since Monsr. Gerard is to leave us, I am happy that his Successor sustains such a

character. The Interest of the two nations will always depend much on the Prudence & Abilities of their Respective Ministers.

I have the honor to be Sir with great Respect and, Esteem, Your most Obedient Servant.

LB (DNA: PCC, item 14).

¹ Although there is no mention in the journals of the receipt of Cushing's letter, it is endorsed by Charles Thomson "Read Aug 19." PCC, item 78, 5:389–92. In this August 5 letter, Cushing had reported intelligence of French naval operations in Europe and the West Indies and the recent arrival at Boston of the new French minister to the United States, La Luzerne, for which see James Lovell to Richard Henry Lee, August 17, 1779, note 2.

John Jay to George Washington

Sir, Philadelphia 20th Augt. 1779.

Herewith enclosed Your Excellency will receive a copy of three Acts of Congress of the 17, 18 & 19th Inst. The two first respect a Provision for the Army¹—The latter for the Commissary General of Prisoners.²

Congress have under Consideration further Resolutions on this Subject, calculated to do equal Justice to the whole Army, & remove every cause of complaint in their power to remedy.

I have the Honor to be, with perfect Esteem And Regard, Your Excellency's Most Obedient and Humble Servant,

John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ These resolves were a token response to pleas that Congress act to relieve the plight of the officers and men of the Continental Army, whose position had long been eroded by accelerating inflation. Although the resolve of the 18th increased monthly subsistence allowances, Congress had refused to take action on the more controversial demand for providing half pay for life, resolving instead merely to recommend such action to the states. See *JCC*, 14:973–79.

² On August 19 Congress raised the pay and allowances of the commissary general of prisoners. *JCC*, 14:980. President Jay's brief August 20 letter transmitting this resolve to commissary John Beatty is in PCC, item 14, fol. 174.

James Lovell to John Adams

Dear, respected Sir Philada. Augst. 20th. 1779

I am to acknowledge the Receipt of your Favors of Decr 19, Feb 19 and Feb 20, the 1st on the 16th—the two latter yesterday by Mr. Partridge. I ought also to profess myself obliged by your long Letter this day read in Congress dated at Braintree.¹

I am quite pleased with finding I had formed a just Opinion of the

several Character mentioned in these yr Letters to me; And should have readily consented to more than separating the joint officers, if any Thing would have answered the Purpose of some here but a downright disgracing of them.

By Conversation with Mr. S.A.² my Scrawls to Portia & a Resolve or two lately sent her you will find the Stage we are at respecting the Business which has caused you Uneasiness while abroad.

Mr. D—— is discharged from further Attendance, here;³ and has an Allowance for the Time he has been disgracing us and betraying us to disgrace ourselves. But he is not yet done, he expects to be pd. for going again to France after his Papers & for the Time necessary to *settlement of his Accounts*. That Business relative to you mentioned in one of yr public Letters read Today is referred to the Treasury.⁴ Be assured you have not an Enemy amongst us; but whether you will hear *properly* from this quarter hangs on Tomorrow, or the next day or the next, &c.

Though *my* Heart would be more at Ease if you was in Europe than it is at present in regard to probable Negotiations; yet, I must, in a decided Case, congratulate you on yr safe Arrival among your Relations. I presume yr little Secretary⁵ is with you; and I hope he is in Health with the whole Circle of yr beloved ones.

The Bearer is 24 Hours earlier upon me than I expected; so that I take up my Pen only that he may not go without a visible Assurance of being with a continued sincere Esteem, Sir, your obliged Friend and humble Servant,

Jas Lovell

RC (MHi: Adams Papers).

¹ Congress this day read letters from Adams of February 13 and August 3 and 4, 1779, which are in PCC, item 84, 1:37–39, 61–67, 69–84. *JCC*, 14:981.

² That is, Samuel Adams.

³ For Silas Deane's "discharge," see John Fell's Diary, August 6, 1779, note 3.

⁴ In his August 3 letter, Adams asked whether Congress would prefer to consider his accounts separately or with his fellow commissioners in Europe because "part of my accounts are in conjunction with my late colleagues." For the settlement of Adams' accounts, see Adams, *Family Correspondence* (Butterfield), 3:220n.2.

⁵ That is, John Quincy Adams.

Marine Committee to John Beatty

Sir,

August 20th 1779

The enclosed Papers have been laid before us by the Agent of the Royal Marine of France by which it appears that the United States are indebted to the French Nation for a Number of Prisoners.

It is our desire that you examine those Papers with the Account you have kept of that business and ascertain exactly what number is due, and immediately discharge the balance by sending to the enemy a Sufficient number of Prisoners in the power of these States—receiving

in return an equal number of French Subjects now in the power of the enemy; And it is also our desire that if you have in your possession more Marine Prisoners than are sufficient to redeem the Americans in the hands of the enemy, that with the Surplus an Exchange be made for any French Prisoners that may be left with the enemy— Or failing in that way if the British Commissary will take your obligatory receipt for any number of the subjects of his most Christian Majesty which he may now send out and deliver to you, you may pass the Same on behalf of the United [States] to be paid as soon as it shall be in your power. As the Minister of France is anxious to have this business concluded we recommend that you use all possible despatch in the execution of it. The Commissary for French Prisoners is now going into New York and in his way will call upon you, which may probably tend to facilitate the business.

We request you will recur to our Instructions of the 14th of October last¹ wherein we recommend that you keep clear and distinct accounts of all expenditures attending the french Prisoners to prevent any difficulty hereafter in the Settlement of them.

We are Sir, Your Hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ See these *Letters*, 11:57–58.

Marine Committe to Joseph Reed

Sir

August 20th. 1779

Your Excellencys favour of yesterday with the enclosures is now before us.¹ It gives us great concern to hear that a Spirit of insolence and outrage manifests itself in the Officers and men of the Continental Vessels, and your Excellency may rest Assured that this Board will discountenance every attempt of the Officers and men under their direction to treat the magistracy or any other persons in the execution of Office with insult and contempt. We find ourselves embarrassed with the particular cases referred to in your Excellencys Letter; as, on the one hand, to pass a censure on these officers, without hearing them in their defence would be considered as an Act of injustice; and having no authority to call before us any citizens of this State whereby we might lead to a partial decision on the Other hand. We therefore hope that the civil power will effectually redress the injuries complained of, and, we trust prevent the like in future.²

With much esteem and respect we are, Your Excellencys Obedt humble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ Not found. Reed's protest of the Continental Navy's contempt for Pennsylvania authority coincided with the denunciation by Continental officials of the Pennsylvania navy for impressing seamen of other states and citizens of France, for which see *Pa. Archives*, 1st ser. 7:656; and John Jay to Joseph Reed, June 29, 1779, note 2.

² Despite this somewhat evasive Continental response, when Reed lodged a protest in October against Capt. Seth Harding of the Continental frigate *Confederacy* for impressing Pennsylvanians, the Marine Committee responded at once by recommending that no Continental commander impress "any person . . . without permission first obtained from the Legislative or executive authority of the State," and Congress ordered Harding to discharge "immediately" any Pennsylvanians impressed by him. See *Pa. Archives*, 1st ser. 7:761–62; and *JCC*, 15:1201, 1204.

Samuel Holten's Diary

[August 21, 1779]

21. Saturday. Congress recommended an imbargo to the several states to be continued to the 1st day of Jay next.¹

MS (MDaAr).

¹ For this recommendation "to such of the states as have embargoes existing within them," see John Jay to Caesar Rodney, August 30, 1779, note.

John Jay to Guillaume de Luce

Sir,

Philadelphia 21st August 1779

I have the pleasure of transmitting to You herewith enclosed a copy of an Act of Congress of the 17th Inst, in which they have been pleased to express the favorable Opinion they entertain of your Merit & Services, and assign the reasons which restrain them from granting You the Brevet of Major.¹

The motives which induce You to return to France are cogent, & Congress have signified their Approbation by granting Fifteen hundred Dollars for the Expences of your voyage, which you will be pleased to accept as a further mark of their Respect.

With the best wishes for your Health & Happiness I am Sir, Your most Obedient, And Humble Servant. John Jay. Presid.

RC (MH-H: bMS Am 1649.4). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ *JCC*, 14:952, 973. An undated memorial of Capt. René-Jean Guillaume de Luce (1749–1812), seeking a promotion to major and expenses to return home to France, which was referred to the Board of War on August 13, is in PCC, item 41, 5:220–21. For his arrival in America and earlier efforts to obtain a majority, see these *Letters*, 6:123n.3, 9:231n.3; and LaFayette, *Papers* (Idzerda), 1:317–19, 337, 2:47, 168.

John Jay to Joseph Reed

Sir,

Philadelphia 22nd Augt. 1779.

I have the honor of informing You that the Honorable the Sieur Gerard, has laid before Congress a Commission from his most Christian Majesty appointing him Consul-General of France, in the United States of America with Power to appoint Consuls & Vice-Consuls—And that in virtue thereof he did on the 15th day of July 1778, appoint the Sieur John Holker, Inspector General of the Commerce and Manufactures of France, to be Consul of France in the Ports of Pennsylvania, and on the 19th day of September 1778 did appoint the Sieur Martin Oster to be Vice-Consul of France in the Ports of Pennsylvania. These Appointments have been made known to and approved of by Congress, and with the said Commission are duly entered in the Secretary's Office.¹

I have the honor to be with great Respect your Excellencys most Obedient & Humble Servant.

LB (DNA: PCC, item 14).

¹ This letter is Jay's somewhat belated reaction to resolutions adopted by Congress on August 2. Responding to Conrad Alexandre Gérard's complaints over Pennsylvania's treatment of the French consul at Philadelphia, Jean Holker, Congress had resolved that all consular appointments registered with the United States be "properly notified by the President to the executive authorities of the respective states in whose ports such consuls may reside." For the background of the controversy stirred up by Holker in Pennsylvania, and Gérard's concern over the treatment accorded French consular officials in the United States, see Committee of Congress to Holker, June 25, note 2; and Jay to Gérard, August 3, 1779, note. See also Jay to Reed, June 29, 1779, note 2. For Gérard's original announcements of the appointments of Holker and Oster in July and September 1778, see *JCC*, 12:713, 948.

Samuel Holten's Diary

[August 23, 1779]

23. Monday. His most christian Majesty's birth day. We have Accts. that Majr. Lee has surprized a fort of the enemy and taken 160 prisoners &c, &c.¹ I recd. a letter from Mr Gill, Mr. Palmer, & the Revd Mr. Wadsworth—per Post.

MS (MDaAr).

¹ Congress did not receive official notice of Maj. Henry Lee's August 18–19 attack on the British garrison at Powles Hook (Paulus Hook, N.J.) until General Washington's August 23 report was delivered on August 27, but clearly news of Lee's victory had reached Philadelphia by this day.

John Jay to Conrad Alexandre Gérard

Sir,

Philadelphia 23rd Augt. 1779.

I have the honor of informing You that Your Letter, on the subject of Provisions, was communicated to Congress on Saturday last, & that they immediately passed a Resolution complying with your Request, & directing the Committee appointed to superintend the Commissary's Department to take the necessary Measures for the Purpose.¹

I have the honor to be with great Respect & Esteem, Your most Ob. & Hb. Sevt

LB (DNA: PCC, item 14).

¹ For Congress' August 21 resolve on Gérard's letter of the same date, see *JCC*, 14:984–85. As Gérard's letter has not been found, the precise nature of his request is not known, but it may have concerned permission to export flour and beef to Martinique for the marquis de Bouillé. An August 22 letter from Gérard to Antoine-Raymond-Gualbert-Gabriel de Sartine, French minister of marine, explaining that he had received such permission is in *Correspondance politique, États-Unis*, 9:116, Archives du Ministère des affaires étrangères.

Jesse Root to Oliver Ellsworth

Dear Sir

Philadelphia August 23rd 1779

I have Just recd. your favour of the 15th Inst. Thank you for the Communication & Congratulate you on the good News it Contains.

I recd. the 1600 Dollars of Genl Spencer & last Week Sent Eight hundred dollars to you by Mr. Coit, who was going to Norwich.

I Congratulate you on the brilliant Success of our arms on the 17th & 18 Inst at Powlis Hook—when Major Lee with 400 Men Surprized & attacked the garison at that place with fixed Bayonets & without firing a gun, took 160 prisoners, the number of killed & wounded not known, as the party was obliged to retire before morning, our loss only five missing, further particulars not yet Come to hand.

Our European Intelligence from Doctr. Franklin, Mr Adams & the Communication of the Minister of France Mr Gerard—is that England has refused to accept the Mediation of Spain, because the preliminary insisted on by France was that they Should also Treat with the States of America as Independant States—and thereupon Spain declared to the Court of Britain that agreable to the Treaties existing between her & France they must take an active part in the warr. On the whole the Situation of affairs in those parts bear a very favourable aspect towards America. Congress have recommended to the Several States to make adequate Compensation to their officers, & Soldiers, in a way that shall be most agreable to the respective

Legislatures—also recommended the Continuation of the embargo to the first of Jany. next. I have enclosed to Mr Lawrence a Number of the latest papers to which I must refer you for the News passing here. Genl Spencer & Mr. Huntington are well & Send their Compliments to you. The former designs to leave Congress on the 20th of September, My Compliments to Mrs. Ellsworth.

I am with esteem & respect your most obedt., humble Servant,
Jesse Root

P. S. 24th. Arthur Lee writes that Britain Still retain their hostile temper towards America—that the recruiting there goes on Slowly—the Scotch much dissatisfied at the favour shewn to Roman Catholics—the Irish have their non Importation agreement—are furnishing themselves with Arms & Meeting & Exercising, in short are doing as much as we did four years ago, without Governments daring to take notice of it.¹

RC (InU—Li: Lafayette Collection).

¹ Arthur Lee's May 21 letter to the Committee for Foreign Affairs containing this information, which was read in Congress on August 23, is in PCC, item 54, fols. 279–86; and Wharton, *Diplomatic Correspondence*, 3:171–73. *JCC*, 14:989. Similar information was also received in Joseph Gridley's May 25, 1779, letter from Nantes, a copy of which was included in James Lovell's August 25 letter to George Washington.

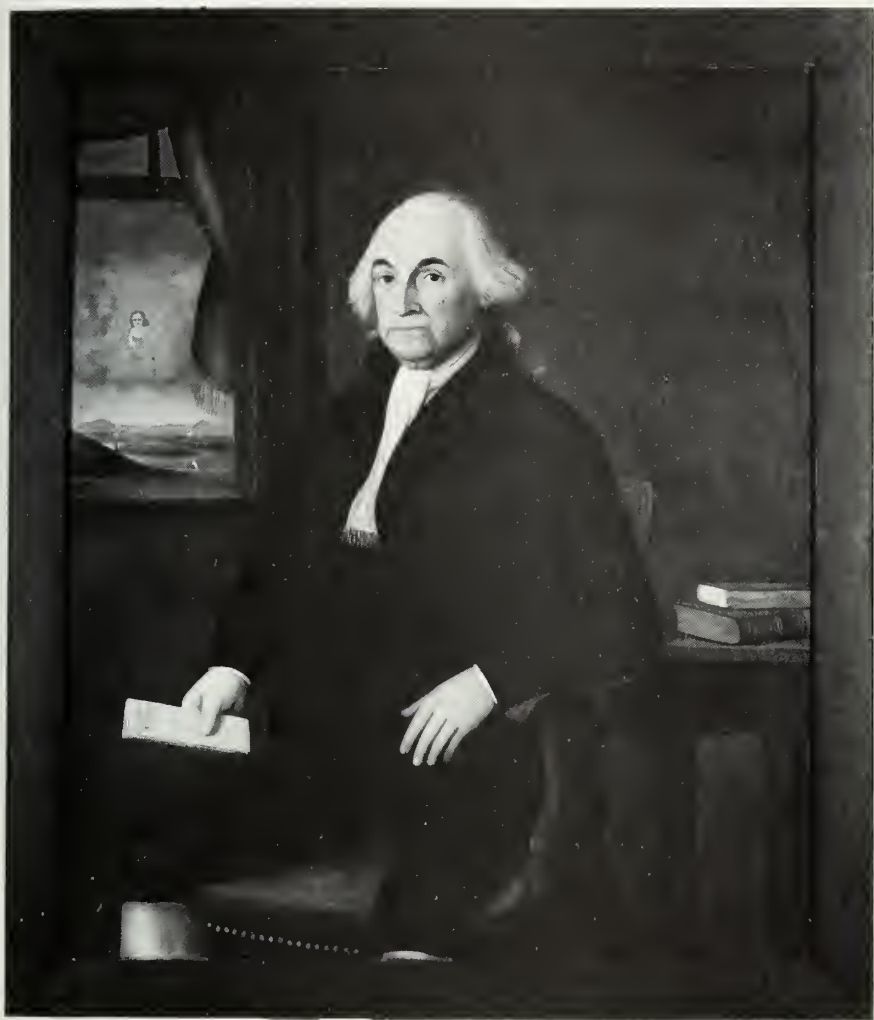
Jesse Root to Jonathan Trumbull, Sr.

Please your Excellency Philadelphia Augst. 23rd. 1779

I waited on Genl Washington, as I came down, Spent a day with him, the Fort & backworks at West point go on with great industry & dispatch, they will Soon be got in a defensible Condition and the General be at liberty to act Offensively with his principal force in other parts as Oppertunities may offer. If there is any powder to be Spared from Connecticut for the Army it would be well for the Genl to know it, I told him I thought there was a Considerable quantity might be obtained from thence.

Congress have passed a resolution recommending to the Several States to make adequate Compensation to their officers [&] Soldiers in Such way as Shall be most agreeable to the respective legisla[tures].¹

Also have passed a resolution recommending to the Several States, to lay & Continue the Embargo on provision & live Stock untill the first day of Jany. next.² There is another resolution prepared, to have Justice done among the States, which I think will be Carried as there is a greater prospect of harmony now in Congress than has been for Some time. The resolution directing the Commissary to Supply rations to the militia of Connecticut is not yet passed, but the Committee of which I am one On the Commissarys & Qu[arter]-masters departments, have included in their Computation of Sup-



Jesse Root

plies that will be needed for the Current year those that will be wanted for the guards, & militia of Connecticut; that I apprehend there is no doubt but the resolution will pass.

Accounts from Europe are that the Expedition against Guernsey has failed. Admiral Arbuthnot with the four thousand Troops that had Embarked for America went to its aid—he has returned, & left Plymouth the last of May for America—It is Said a Second Expedition is in Contemplation against that Island.

The Court of great Britain, Sundry times in the Course of last Winter in an Indirect manner Signified to the Court of France a desire for peace, of which France took no Notice, Judging it to be Improper while Britain had not determined whether She would accept the Mediation of Spain which then was proffered—but Spain began to Suspect that the pacific professions of Britain were rather to delay & gain time than from a Sincere disposition to peace. Instructed their Ambassador Count Almodaver to insist on a Catagorical answer whether Britain was Sincerely disposed for an accomodation & would accept the proffered Mediation of the King of Spain to these Questions Britain replied that they were Sincerely desirous of a peace with France—and being informed that France Could not enter into a Seperate Treaty; but that Britain, as a preliminary, must, also, Consent to Treat with the States of America as free & Independant States. Britain rejected these Terms, and the Ambassador announced to the British Court that the King of Spain his master was bound by Treatys, then existing, to take an active part in the war with France. These negotiations were carried on between the 26th of April & the 17th of May, at a time when the British Court was flushed With their Successes in the East & West Indies & at Georgia. The Court of Britain is Viewed by the powers of Europe in an unfavourable light on account of her haughtiness & pride which all are willing to Se[e] humbled. While the King of France by his Wisdom, moderation & Justice displayed in Mediating a peace between Russia & the Turks between the Emperor of Germany & the King of Prusia, four of the greatest powers in Europe, So much to the Satisfaction of all parties, has raised him high in the Estimation of all Europe, and it is Confidently beleived that Great Britain will be unable to obtain any foreign aid to assist in the war more than she has already got—by all the advices from Europe things there wear a very favourable aspect towards America.

And I firmly beleive, as I ever have done, that in Spite of the utmost exertions of our Enemies, & a thousand Errors & impolicies of friends, a Kind Providence will lead America, as by the hand, through this Wilderness of darkness & of dangers & cause her one day in triumph to possess & enjoy, peace, freedom, Independance, & Glory—and on Se[e]ing the accomplishment of this Event, I fancy your Excellency will be almost ready to Say; Now Lord! let thy Servant depart in peace. The particular designs of the Enemy this

Campaign have not been discoverable. Congress has Earnestly recommended to all the States Suddenly to fill their battalio[ns] & to hold their militia in readiness for immediate action, in order[to] be prepared for the Enemy at all points whatever their opperations may be. And I doubt not but our Exertions will increase in Strength & vigor in proportion as we draw nearer to the point of seising the glorious prize for which we have so long & so nobly Contended.

August 24th. By a letter from Arthur Lee it appears to be his Opinion that the hostile disposition of great britain is not abated towards America. That if a Change in the ministry Should take [place] they would endeavour to prevail on Prince Henry of Brunswick to take the Command in America in whom both the British & German Troops will be united.

He thinks that Britain, in Consequence of the peace in Germany will be able to derive Considerable aid from thence. He writes that the recruiting business goes on Slowly in England. The Scotch are greatly displeased at the favour Shewn to the Roman Catholics. Ireland is in the Same way we were four years ago, have their non importation agreements, are furnishing themselves with arms & meeting to learn Military discipline without governments daring to take notice of it.

Permit me to Congratulate your Excellency on the brilliant Success of our arms at Powlis Hook in the night following the 17th when Major Lee with four hundred men surprised the garrison with fixed bayonets & without firing took & brot. off 160 prisoners. The numbers killed & wounded on the side of the Enemy not known—as our party retired before it was light—our loss only five Missing. Genl Sullivan has burnt the Indian Town Shemung an account of which you will See in the inclosed papers & to which I refer your Excellency for the News here.³ The New Minister Plenipotentiary from France is Shortly Expected here. He has a good Character given him by Messrs Adams & A. Lee. With the highest Esteem & Respect, I have the Honor to be your Excellency's Most Obedt, humble Servant,

Jesse Root

RC (John F. Reed, King of Prussia, Pa., 1971).

¹ See John Jay to the States, August 24, 1779.

² See John Jay to Caesar Rodney, August 30, 1779, note.

³ Gen. John Sullivan's August 15 letter to John Jay reporting his success against the Six Nations was read in Congress this day. See *JCC*, 14:969; *PCC*, item 160, fols. 298–301; and Sullivan, *Papers* (Hammond), 3:95–98.

Joseph Spencer to Joseph Ward

Sr

Philadelphia 23d August 1779

Yesterday I Recd. your 2d Letter of the 13th Instant and in answer to this and your 1st I observe that some time in the Spring, the Board of War Reported Relative to the pay of the Mustermasters Department, which report with the application on which it was grounded was Referred to a Special Committee of three,¹ the Committee made a report to Congress, they Seem'd not pleased with the report, at that time, and Recommitted the matter, and directed the Committee to make Some Enquiry (Relative to the Subject) of the Commander in Chief; the Committee accordingly wrote but there was Some delay in Sending the Letter by reason of Mr. Lawrence's being out of health a few days, about that time, but it was Sent off before I recd your first Letter, and I then Concluded, that you would be acquainted fully with the Steps taken, & the particular State that matter was in before an answer from me Could reach you, which was the Special reason I delayed writing you an answer, but as it has hapned I am very sorry I did not write to you Immediately. With the Letter the Committe Transmitted all the papers Concerning the Subject to his Excellency Genl. Washington and it is the desire of Mr. Lawrence with whom I have Confered this morning, as well as my own, that you will apply to his Excellency to know wheather he has recd. our Letter and the papers, we hope soon to have an answer from him, and then Something will doubtless Soon be determind in the Case, the matter being in this Situation I shall not diliver your Letter to the President untill I have your positive Direction. In great hast, I am Sir your Humble Sert.

Joseph Spencer

RC (ICHi: Ward Papers). Addressed: "Col. Joseph Ward, Comissary General of Musters, Camp Hudson River."

¹ Ward had raised the issue of pay and allowances for "officers of the Mustering Department" in a June 14 memorial submitted by his deputy Azariah Horton, which had been referred on the 15th to a committee consisting of Spencer, Henry Laurens, and Nathaniel Scudder. On June 25 the committee brought in a report recommending pay increases for the department, but it was immediately recommitted and the committee was ordered to consult General Washington, who was simply asked whether the muster department should be continued or abolished. Presumably the fate of the department was set when Washington replied that its duties should be transferred to the inspector general's department, but no immediate action was taken and Ward and his officers were left without relief until January 1780, when the recommendation was carried out. See *JCC*, 14:734, 770-71; *PCC*, item 41, 4:67-74; and Committee of Congress to Washington, September 3, 1779. For Ward's repeated efforts to prod Congress to action and the delegates' seeming indifference to the plight of his officers, see also his letters to Elbridge Gerry, Samuel Huntington, Henry Laurens, and Jesse Root in *PCC*, item 78, 24:101-8, 121-24, 137-40, 167-70; George Partridge to Ward, October 19 and November 31? 1779, and January 3, 1780; and Samuel Huntington to Ward, January 14, 1780.

William Whipple to Richard Henry Lee

My Dear Sir

Philadelphia, 23d Augt 1779.

It gives me pleasure to find by Your favor of the 8th inst that you have got the better of Your indisposition & I hope shortly to have the additional satisfaction of being informed that your health is perfectly restored.

The Confederacy is still waiting for her freight,¹ I fancy a late arrival at Boston will hasten her departure.

A long Political letter has been receiv'd from Mr. Adams in which he gives a high Character of his Companion from France.² I hope this Gentn will receive such impressions in the Country where he first landed as will sufficiently Guard him against the pernicious Air of Philaa. From the Character given of him there is no room to apprehend much danger of his being drawn into party by the insidious acts of base, designing men, but still it may not be amiss to fortify him against any such attempts. The arrival of Mr. Adams may make a change in some Political plans, I wish he woud come this way but I do not understand he has any such intention.

The reading of Dr Lee's vindication &c afforded me high entertainment,³ Envy, malice, and every vindictive passion that disappointed malevolence could inspire appeared on various countenances round the Room. Fiddle head shook,⁴ Swivel Eye, nestled & turnd pale,⁵ the Chair, changed colour at every sentence,⁶ some others forced a sneer endeavouring to conceal their shagreen & Confusion, This you may well suppose afforded me no small degree of enjoyment.

The Base Viol has tarried a fortnight beyond the time he some time ago set for his departure,⁷ he has met with something of late that has towered him exceedingly but what it is I know not, perhaps it may be the Oath you mention.⁸

What can become of Ford it is now ten days since a fellow Passenger of his passed through this City who informed that Ford had dispatched for Congress, but nothing further has been heard of him, it is hinted by some that he will not be permitted to pass this way, but those are not remarkable for their Friendship for his late employer.

I shall not be under the least concern for the fishery if a proper person can be agreed on to negotiate the business but that still remains a matter of uncertainty.

The resignation of Dr Lee at this time woud certainly be injurious, 'tho I hope when he has compleated the business that I expect he is now engaged in he will ask leave to come to America, but in my Opinion it will be best not to resign. The thought of his coming to this Country woud make some of the Villains tremble, but if he resigns it will be said he has no intention of coming here, and many injurious stories will be circulated that may make an impression that may

give him or his friends some trouble to remove. The few select Friends who you have Honoured with your Confidence have considered the subject submitted to them, their Opinions will be given you by Mr L—— or Mr L——¹ who no doubt will write you fully on the subject.

It is uncertain when I shall take my leave of this place but I believe it will be Octor first when ever that happens or where ever I may be, to hear of Your Happiness will always be a great addition to mine.

I am My Dear Sir with the highest Esteem & most sincere affection
Yours,
Wm. Whipple

RC (PPAmP: Lee Family Papers).

¹ A reference to Conrad Alexandre Gérard, who was awaiting the arrival of his replacement, the chevalier de La Luzerne. However, not until September 17 was the *Confederacy's* commander Seth Harding officially ordered to receive Gérard on board, and on October 17 John Jay, newly appointed minister to Spain, was added to his passenger list. See Marine Committee to Samuel Tucker, June 25, note 2; and to Seth Harding, September 17 and October 17, 1779.

² That is, La Luzerne.

³ For the reading of Arthur Lee's "vindication," see James Lovell to Richard Henry Lee, July 17, 1779.

⁴ Probably Meriwether Smith.

⁵ James Duane.

⁶ That is, John Jay.

⁷ That is, Meriwether Smith.

⁸ For Smith's anger over the oath adopted by Virginia prohibiting its delegates in Congress from engaging in commerce, see Meriwether Smith to Thomas Jefferson, July 6, 1779.

⁹ That is, Henry Laurens and James Lovell. For their advice on whether Arthur Lee's letter of resignation should have been submitted to Congress, see Lovell to Richard Henry Lee, September 27 and October 13, 1779, note 3.

Elbridge Gerry to John Adams

My dear Friend, Philadelphia August 24. 1779

I have only Time by this Days post to express the pleasure I feel on the News of your safe Arrival to your Family & Friends, & the prospect of an agreeable & early Interview with You. The Letters to me which You mention in your's to Mr Lovell never came to Hand, or I should certainly have acknowledged the Receipt of them, altho I have been under the Necessity of giving up my most agreeable Correspondent. I am much informed by your sensible Letter to Congress, which has been justly admired as an accurate History of the Relations, Inclinations, Interests, & dependencies, of the several Powers of Europe; & I fully agree with You in your private History of *Men & Kings*—many of our Friends, by a Discovery of their personal Attachments & other inpolitic Measures, must now be sensible that they have In a great Measure defeated their honorable Intentions of supporting patriotism & Integrity, & developing Conduct

which from present appearances, is disgraceful to our Country & the Cause in which We are engaged: but not approving their policy, I presume that I must not expect their Confidence—your Letter relative to Expences is referred to the Board of Treasury, & will be answered by the next post. Pray make my Compliments to Mrs. Adams, & inform me what She will Say, if I Should again think it my Duty to promote your Appointment to an Embassy in Europe; She cannot justly impute it to the Want of tender Feelings, which married Ladies will rarely allow to Batchelors, when she is truly informed of my Impatience to join your sacred order. However I shall never wish to see any of my Friends in important offices under Congress untill they have adopted a Resolution, that no person shall be appointed to any office of profit of the united States, during the Time of or within twelve Months after his being a Member of Congress.¹ I remain sir in Haste with the sincerest Esteem, your Friend & very hum serv,

E. Gerry

RC (MHi: Adams Papers).

¹ For Gerry's involvement in efforts to pass a similar resolution on September 24 and 25 and on November 15, 1779, see *JCC*, 15:1105–6, 1269–71; Henry Laurens' Notes, September 24; James Lovell to Horatio Gates, September 30; and John Fell's Diary, November 15, 1779.

Samuel Holten to the Massachusetts Council

Sir, Philadelphia Augt. 24th 1779.

I have the honor of inclosing a number of acts, lately passed by the general assembly of the state of New Jersey, and by what is wrote on the outside leaf, you will perceive, that they were to be communicated, by direction, thro' the hands of their delegates in congress, and that they are desirous of a "communication in kind from the state of Massa. Bay."¹ If the proposal should be agreeable to the honble. board; they will be pleased to give the necessary directions to the secy; And if it shou'd be thought most adviseable, that they shou'd be conveyed thro' the hands of your delegates in congress, they will be properly noticed, & delivered accordingly.

I have the pleasure of congratulating the honble. board on the success of our troops under the immediate command of Major Lee; I have not the particulars before me, but have no doubt, they will reach you before this.²

We are anxiously concerned here, for our fleet and army at Penobscot.

The honorable Mr. Partridge arrived (safe) here, on Thursday last. I have the honor to be, with the highest sentiments of respect, sir, your most obedient servant;

S. Holten

RC (M—Ar: Revolutionary War Letters).

¹ Since 1776 the New Jersey assembly had periodically published the acts passed by each of the three sessions of its annual assembly. The assembly had undoubtedly instructed the state's delegates in Congress to distribute to the delegates of each of the states the *Acts of the [Third] General Assembly of the State of New-Jersey. At a Session Begun at Trenton on the 27th Day of October 1778, and Continued by Adjournments, Being the First Sitting of their Third Session [November 20— December 12, 1778]* (Trenton: Isaac Collins, 1779), and perhaps the acts of the second sitting, May 22—June 12, 1779, as well. See Evans, *Am. Bibliography*, nos. 16,393–94. The assembly's purpose was apparently to stimulate a general exchange of the legislative acts of all the states. For additional information on this New Jersey initiative, where the "acts" enclosed are more explicitly described, see Rhode Island Delegates to William Greene, September 7, 1779.

² For Maj. Henry Lee's victory at Paulus Hook, N. J., see Holten's Diary, August 23, 1779, note.

John Jay to the States

Sir, Circular Philadelphia 24th Augt. 1779.

You will receive herewith enclosed, a copy of an Act of Congress of the 17th Inst. on the subject of further Provision for the Army. So many reasons point out the Justice & Propriety of this measure that there can be no Room to doubt it's receiving all the attention due to the Importance of it.¹

I have the honor to be with great Respect Your Excellency's most Obedt Servt.

LB (DNA: PCC, item 14).

¹ Congress had on August 17 been unable to agree to a committee recommendation for extending half pay for Continental officers "for life" but nevertheless resolved to recommend the proposal to the individual states. In a similar display of inability to deal constructively with the needs of the Continental Army, the delegates simultaneously urged the states to make "provision" for the widows of officers and soldiers who "have died or may die in the service." See *JCC*, 14:973–76.

There seems to be no apparent reason why President Jay waited a week to transmit these resolves to the states. He had informed General Washington of them in a letter of August 20.

John Jay to George Washington

Sir, Philadelphia 24th Augt. 1779.

I have been honored with Your Excellency's Favors of the 15th, 16, & 17th Inst—The first is referred to a special Committee—The second to the Board of War—and the third to the Treasury.¹

It is the Sense of Congress that your Excellency "refuse your Assent to the Request of Major General Philips that two Officers of the Convention Troops be allowed to go into Canada."

Congress came to some other Resolutions on the 21st Inst. respecting General Philips' Letters Copies of which are herewith enclosed.²

I have the honor to be, With the greatest Respect & Esteem, Your
 Excellency's Most Obedient Servant, John Jay, Presid

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ JCC, 14:988–89. These letters are in PCC, item 152, 7: 573–92, and Washington, *Writings* (Fitzpatrick), 16:98–108, 112–13, 121–22.

² See JCC, 14:985–86. In addition to denying the travel request of two Convention Army officers, Congress refused to permit William Phillips to correspond with Lt. Gov. Henry Hamilton, who had been captured by George Rogers Clark at Vincennes in February, and ignored Phillips' complaints concerning Hamilton's treatment, because he was a prisoner of the state of Virginia, "to whom it properly belonged to decide on the treatment suitable to his conduct."

James Lovell to John Adams

Dear Sir

Aug. 24th [1779]

I am much chagrined at not having a Line *about* you by last Post. I did not expect one *from* you. You are so sick of Party abroad that you would not venture to have any thing to do with Individualities, here. Every Line that I read from France, like as yours have done, confirms me in an Approbation of the part I have taken all along through the contests of many months back relative to our Commissioners at foreign Courts. We have now in our different Committees Vouchers sufficient to prove that Mr. A Lee has been greatly abused—greatly provoked—and, in that Predicament, has conducted so as to give his Enemies an Advantage in some points. I hope his Brothers, who are both now out of Congress,¹ will publish several peices, which have lately passed through my Hands; particularly a Letter to Carter Braxton being strictures upon one of his intercepted at Sea.²

I send you three Gazettes which I beg you will inclose to A L, with or without a Letter as you please. The Navy Board will forward them by the Vessels which go from Boston. It will be a Satisfaction to him to see that the Falsehood and Malice of the Address of Decr. 5 —78 is appearing more & more daily here.

Mr. D—, ³ by a late Application to have his Pay during a Return to France & settlement of *our* Business which he was forced to leave by our Order of Decr. 8 —77 in a very loose condition, has put us upon a fair occasion of doing Justice to ourselves for the Abuses which he has gone into of our over Lenity months ago. I will send you the little foolish part of the vexatious Report of the Comtee. of 13 which related to you.⁴ It will show the Spirit of that Comtee: as well as Izards overheat.

I am persuaded that *Watchmen* of Integrity are necessary for us abroad; but I would not chuse to emply *Jealousy* or *Suspicion* for such Ends; they never see truly all round. I am in hopes that a Treaty of Alliance will shortly be formed with Spain, and I am sure that then

Mr L⁵ will think he can resign with *honor*. He would now appear to do it thro *fear* or thro *fret*.

Yr. affectionate humble Servant,

James Lovell

RC (MHi: Adams Papers).

¹ That is, Francis Lightfoot and Richard Henry Lee.

² Several of Braxton's letters, particularly one dated December 26, 1778, and addressed to John Ross in France, had been intercepted by the British and published in James Rivington's *Royal Gazette* on February 3, 1779. In his letter to Ross, Braxton had attacked the Lee brothers for their roles in the "trial" of Silas Deane in Congress. The particular piece that had "passed through" Lovell's hands was apparently a strong letter of rebuttal from Arthur Lee to Braxton, dated Paris, May 22, 1779, which was later published in the *Virginia Gazette* (Dixon & Nicolson) on October 9, 1779. For an earlier attempt to discredit Braxton by publicizing his captured letters, see Meriwether Smith to the Public, March 9, 1779.

³ Silas Deane.

⁴ Lovell probably sent the single charge leveled against John Adams, that he opposed articles 11 and 12 of the Treaty of Commerce. *JCC*, 13:368.

⁵ Arthur Lee.

Henry Marchant to Horatio Gates

Dear Sir,

Philadelphia Augt. 24th. 1779.

I was much obliged by your kind and Polite Favour of the 2d Instant. Ever since Glovers Brigade was recalled from your Post I have been full of Concern for you. I wrote the Gov. what I had done in Congress upon that Occasion,¹ but as I could not get a Comee of which I was one, to report any other Mode of releiving you than by again calling upon the neighbouring States, I thought such a Report altogether ineffectual, and so your Post must still be committed to Our own internal Exertions, as has been for most of the Time the Case, To your superior Generalship, and what is most to be relyed upon—The Care of Heaven. The Returns you inclosed me, I could wish for an Opportunity to make a proper Use of.

It is said that you have sent Col. Jacksons Regiment on to Boston to embark for Penobscot and that so late as the 12th Instant they were just marching into Boston. This I can scarcely credit, considering your own defenceless Situation—And how late in the Day such a Succour must be. You doubtless have had Notice long since that Comr. Collier had sailed in Force to relieve the British at Penobscot. If, as it is thought, he saild for that Post, I think he must have arrived by the tenth or twelfth. And I fear the jig is up with Us. At first we were told that fifteen hundred Men had failed to dislodge the Enemy—Now that Our Forces are not more than Eight or Nine hundred and the Enemy at least seven of regular Troops. I pray God his Miracles may not cease.²

I hear my brave Talbot has taken Stanton Hazzard.³—was it since Independance took Place that he took the Active Part against the

Country that gave him Birth & reared him to Manhood—It may not be surprising if he should find powerful *Friends* and *advocates*. The Boston Papers intimate a reasonable Expectation of making a capital Stroke upon a Jamaica Fleet: and that Manly had taken a new built Frigate.

Genl. Sullivan is penetrating the Indian Country & has destroyed two Indian Towns. The *Flees* could not be caught tho' they gave Us several severe Bites. We indeed may not expect to catch Indians. But the destroying their Towns, and taking a Number of *old Men, Women & Children* may strike an awe upon Their Minds and secure us against future Depredations, & Barbarities upon Our Inhabitants. It is a mere Indian Expedition—I hope the Advantages will answer to the great Expence, and the Injury sustained by weakening other Posts for that Pursuit. Wishing allways for the best, I content myself with waiting for the Event. Your Express went off before I could prepair any Letters and wishing rather to write by Express, than the Post, I have omitted the acknowledging Your Goodness till now. I am much pleased as well as honored by Your Assurance that “At Times, when Matters worthy Note arise I may hear from You.”

I heartily congratulate you upon the second brilliant Stroke upon the North River. The Glory acquired hereby to the American Army, the glorious Success of Our Allies in the West Indies—And the perfect most favourable Disposition of European Powers. I am Dr. Sir Yr friend & Servt,
Hy. Marchant

RC (NH: Gates Papers).

¹ See Rhode Island Delegates to William Greene, July 13 and August 10, 1779.

² The American forces at Penobscot Bay had already been routed on August 14–15.

³ See John Jay to Gates, July 30; and Marchant to Silas Talbot, August 9, 1779.

Henry Marchant to William Greene

Sir, Philadelphia Augt. 24th. 1779.

I inclose to your Excellency three of the Weekly Journals ending the 24th of July last, and the last News Papers. I most heartily congratulate your Excellency upon the fresh Glory acquired to the American Arms by a second Brilliant Stroke of the brave Major Lee upon the Fort & Garrison at Paulis Hook. We are every Moment in Expectation of seeing the Prisoners pass thro' the City 160 in Number. Several Schirmishes terminating much to Our Honor have happened on the East Side of the River. Genl. Sullivan is penetrating the Indian Country & has destroyed one considerable Indian Town.

We hope the best of the Penobscot Expedition, but are not without our Fears.

The Count De Staing is doing nobly in the West Indies—and in Europe every Thing is as it should be, at least as we would wish them

to be. And if Our People who have nobly bled in this Cause and have dispised Death when held in Competition with their Freedom and Independance, will but most heartily dispise the thought of growing Rich upon Their Countrys Ruin—and freely lend & chearfully give their Money—the last dying Hope of Britain will fail and every earthy Blessing will be insured to us & to our Posterity for Ages unborn.

I have not Time to add but that I am Yr. Excellencys, most obedient, and very humble Servt. Hy. Marchant

[P. S.] Mr. Collins has been a Day or two in the Country.

RC (R—Ar: Letters to Governors).

Marine Committee to the Eastern Navy Board

Gentlemen

August 24th 1779

Since our last of the 17th we are favoured with yours of the 11th instant.¹ We hope the agreeable news of the Success of the Providence Queen of France and Ranger will turn out to answer your expectations and we wait anxiously to hear the event of the expedition to Penobscot. We highly disapprove of the behaviour of the Lieutenants belonging to the Alliance in leaving that Vessel in a foreign Port, and we think they should be immediately Suspended until their conduct can be properly investigated. Should you be of the same opinion from what information you can at present get, we desire that it may be done, and when the Alliance returns and you can obtain sufficient proofs respecting their conduct, to bring them before a Court Martial, and [if] it is your Opinion that the good of the service requires their being brought to trial, you will order a Court Martial for that purpose and transmit to us a Copy of the Proceedings.

We shall hereafter write to you respecting the Powder wanted for the use of your Department, in the mean time We are, Gentlemen, Your very hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The board's letter of August 11 to the committee is in the Eastern Navy Board Letterbook, NN.

Marine Committee to Seth Harding

Sir

August 24th 1779

You are hereby directed to sail with Continental frigate Confederacy on a short cruize off the Capes of Delaware until the 5th of

September next, chusing such Station as you shall think will be most likely to fall in with the Brigantine Eagle Captain John Ashmead belonging to the United States which is daily expected at this Port from the Island of St. Eustatia and has on board a lading of much consequence to the public. Should you meet with this vessel you must convoy her into the Bay so far as you may judge she will be safe from Capture by the enemy and afterward Cruize until the time above mentioned when you are to put into the Bay and call upon Major Henry Fisher at Lewis Town with whom will be lodged our further orders for Your government. The Navy Board will deliver you a set of Signals whereby the Eagle will be made known to you, to which please to attend & wishing you Success, We are Sir, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

Gouverneur Morris to Robert R. Livingston

Dear Livingston

Philadelphia 24th Augt. 1779

Much of a Man's political Opinion depends I believe upon his natural Temperament. I am a little sanguine and never look upon the dark Side of Objects unnecessarily. George the second heard from Lord Chesterfield a Conversation which passed in his Lordship's Presence very abusive to the Prince but which terminated in a Quarrel when a French-Man took a Share in the Business of Detraction. The old Monarch laughed very heartily & replied by God my Lor I love my Subjick dey be ver good Subjick dey abuse me demself dey let no Body else abuse me. This is very much the Situation of the American Citizens & American Congress or I am much mistaken.

As for the Committees¹ they are the Nebula leves which variegates the Horizon no more at least in the State of New York. The Bait was flattering. Let us regulate ie let us take our Neighbour's Property and convert it to our Use. But unfortunately the Means are wanting because there is none of that Property in the State and the late Applications to the Philadelphia Committee will convince the People of their Folly. For Notwithstanding the warm Recommendations of the Committee of Albany the Agents could not gain Permission to carry away a single Peck of Salt. I have taken Measures to provide it for the State. As to the Gentleman you mention as having been concerned in promoting the Measure I doubt not that he has long felt the tedium of inactive Life but whether that or any other Cause hath prompted this Manœuvre I will not pretend to discover without knowing which at this Distance I cannot do the several Minutiæ of Circumstances which color all human Conduct.

As to the Changes you mention to have happened in our Legislature I am truly far from regretting them. It shews me that there hath

been much of Indolence somewhere and I conjecture everywhere. This will be punished but of Consequence it will be for a Time at least cured.

What you may be able to do and had far to restrain others from Doing I know not. As to the Gentleman you mention to be sent hither it is of little Consequence. I have seen virtuous Labors so often overthrown that I am inured to it. The high Character which the State of New York has gained must sometime or other fall and whether it be this or a future Year Is not of much Importance. I have labored long to support it and when the State dismiss me from their Service I shall be dismissed from my Labors. As to the Desire of avoiding Censure. I consider it as a trifling Motive. Let a Man take a great Line of Conduct and let him take the Consequences.

As to the Revolutions in Philadelphia Politicks I said nothing because I had nothing to say.² I perceive no Revolution but I have long perceived revolution Principles. This State is a great unweildy Mass badly jointed. If I may be allowed the Expression it is hooped by Opposition and when that ends must crumble to Pieces. I tell you here the Observations of a Spectator for I cautiously avoid meddling in Matters of this Sort unless indeed in Cases, should such happen, where the great Continental Interests are at Stake. As to our Friend Morris he stands in good Estimation indeed the Thing could not be otherwise for an honest Man is not on Earth and the attacks made on him have demonstrated it.

Your former Letters were received.

Some Persons have of late busied themselves to [. . .] Arthur Lee the Success of which will I imagine be counter to the Attacks on Morris and equally disappoint the Projectors. Spain hath at Length taken a decided Part whereon I congratulate you and my other Friends. To all of them remember me with the Warmth of Affection. Adieu.

Yours, Gouv Morris

RC (NHi: Robert R. Livingston Papers).

¹ Morris is apparently responding to a letter from Livingston of August 8 in which he mentioned "the attempts of the county of Albany to imitate the Philadelphia Committee in regulations &c." The draft of this letter is in the Livingston Papers, NHi.

² For the charge that Morris had involved himself in the politics of Pennsylvania, see Morris' letters to Joseph Reed, April 9, 25, and July 9, 1779.

Nathaniel Peabody to Meshech Weare

Hond. and Dear Sir, No. 5. Philada. 24h of Augt. 1779.

I had the honr. of receiving your kind favour of the 10h instant, per Post, And am Extreemly obliged to you for the intelligence therein Contain'd.¹

The trouble you was pleased to take in Conveying the letters I inclosed you for Mr. Johnson,² adds to the long Catalogue of your favours, I have so often happily experienced—And has laid me under greater Obligations than I am able to discharge—Can only Say I most ardently wish for opportunity & abillity, equal to my Sentiments of Gratitude, for Serving your best interest.

We have nothing New here, but what you will have in the papers herewith Inclosed—Some important matters Still remaing undetermined prevents my writing advantageously upon those Subjects. Shall, as duty may direct, Communicate to you every important matter that may come to my knowledge.

I am apprehensive many and Great advantages would be derived from a frequent Correspondance between the authority of the Respective States, and their Delegates in Congress, And which, by their practice, appears to be the Sentiments of almost every State in the Union, except New-Hampr. Frequent information of the Circumstances & Transactions of our Constituents even in matters which at first view, might be thought of little importance, would serve many Valuable purposes; As the Sentiments of the Citizens of any State may in some measure be drawn from their public proceedings, and of Course will prove useful lessons of instruction to their Delegates, & be happily influential upon their Conduct Especially in Such matters as more immediately effect the interest of such State. The foregoing Consideration would alone be Sufficient to Convince me of the Absolute Necessity of an authority being Vested in some person or persons who may officially Transact the aforementioned, and many Other essential matters for keeping, in regular motion the Various wheels of the Great Political Machine. I hope you will Embrace every opportunity to write me, not only in regard to those things which Concern the State, but also Some other matters that may come to your knowledge. Youl please to excuse my writing in this rude & incorrect manner—and believe me Sir when I assure you I am, Your most obliged, obedient & very, Humble Servt.

Nathl. Peabody

RC (MHi: Weare Papers).

¹ Weare's August 10 letter to Peabody reporting the initial successes of the American forces at Penobscot is in *N.H. State Papers*, 17:341–42.

² Not found.

Jesse Root to Thomas Mumford

Sir Philadelphia August 24th 1779

Yours of the 14th was duly Recd. with the inclosed which I delivered to Mr Marshal who is in Town. Yours also of the 6th to Mr. Huntington &c. came safe to hand.

You Justly regret the depreciated Credit of our money & it must be the most ardent wish of every friend to his Country to put a Stop to the depreciation. Could we once gain this point I should imagine the danger would be over, for it would then naturally appreciate by means of Economy & regular taxation as fast as would be just & Safe. A general regulation of prices through out the Continent Supported by Economy & taxation would have a Mighty Influence in this business but I doubt the practicability of the Measure. A foreign loan might unquestionably be improved for very great & good purposes, but this we are Informed would be very difficult to obtain at present. Congress have by a Resolution recommended to the Several States to make adequate Compensation to their officers & Soldiers in Such way as Shall be most agreeable to their respective Legislatures.¹ This I beleive will have a good Influence upon the Army, however if the Expedient you propose Shall be found necessary for recruiting the army it may be adopted tho, I think much advantage redounds to the public from the Spirit of enterprize in the privateering way. The Situation of affairs in Europe Seem to bear a very favourable aspect towards America. I Congratulate you on the brilliant Success of our Arms at Powles Hook in the night of the 17th which I presume you will hear before this reaches you. I inclose to you a Newspaper & a Scheme proposed in this City for raising money by Subscription you will See the plan. Ireland is going on much as we were about five years ago. The Scotch are much disaffected on account of the favour Shewn to the Roman Catholics. The recruiting Service in England goes on Slowly—and Spain undoubtedly before this has taken a decided part with France.²

Your Commands at any time Sir I shall be happy to obey & am with esteem & respect, your Obedt., humble, Servant

Jesse Root

P.S. Mr Huntington was rode out when I wrote this. I have Since Shewn it to him. He Sends his Compliments to you.

RC (CtHi: Hoadly Collection).

¹ See John Jay to the States, this date.

² For the arrival of this intelligence, see Root to Oliver Ellsworth, August 23, 1779, note 2.

William Whipple to Josiah Bartlett

My Dear Sir,

Philadelphia 24th Augt 1779

When I last addressed you I intended to have given you a very long letter by this post, but being prevented by various incidents till post day arrives and now have but little time to acknowledge the receipt of Your favor of the 4th inst which came to hand Yesterday.¹

Some of the Publications I must confess gives me great pain these are among the multitude of Evils America has to combat, these things will undoubtedly give a handle to our enimes & perhaps be a means of protracting the war, they serve to show that we have still concealed enimes among us, if we never had had any such the war woud have been at an end long ago, however I comfort myself with hopes that the present evils tend to future good; the more difficulty we are at in obtaining the jewel the higher value we shall set on it consequently shall be more careful to preserve it. As to the effect these things have on our present ally you may be assured she has too high a sence of our Friendship to suffer such matters to produce the least abatement in her exertions to support our cause. The arrival of the new Minister may be productive of great good it may be improper to enter fully into the Character of his predecessor at present. The accots from Europe are highly Flattering. England has not the least prospect of any powerful Aid to support her in the war on the other hand there is the highest probabl[it]y that Spain has commenced Hostilities against her after the arrival of the new Minister here I shall be able to give you a particular accot of things which I shall endeavour to do in the fullest manner in the mean time I beg You will Comfort yourself with a full perswasion that every thing respecting America is in the most promising scituation, except finance & I am far from being hopeless that, that will shortly be on a better footing. I must refer you to the papers for news where you will find some pleasing paragraphs and some perhaps that might be as well left out. I am Yours my Dear Sir, with sincere affection,

Wm. Whipple

[P.S.] If I ever suffered myself to anticipate evil I shod tremble for Penobscot.

RC (NhD: Bartlett Papers).

¹ Bartlett's August 4 letter to Whipple is in Bartlett, *Papers* (Mevers), pp. 267–68.

William Whipple to John Langdon

My Dear Sir,

Philadelphia 24th August 1779.

Since my last to you I have been favored with yours of the 2d and 9th inst. With regard to restrictions on trade I fully agree with you. I was ever of opinion that such measures would never answer any thing more than mere temporary purposes and whenever they were come into, it should be done with the greatest caution. I imagine it will require as much virtue to lend money without interest as to sell goods for a less price than the buyer would be willing to give—in short this business of finance is very intricate—there are as many different opinions respecting it as there are persons that think of the

Subject, but whenever a plan is adopted, the less opposition it meets in the execution the greater will be the probability of its answering salutary purposes, but while every man is so exceedingly fond of his own brat, it is impossible that any plan should be adopted that will not meet with numerous opposers—however I hope these difficulties will all be got over some time, or other.

When the new Minister arrives here and the budget is open, perhaps I may have something interesting to communicate—at present have only newspapers for your amusement—they it's true contain some things interesting—they show that spirit of enterprize has got into the army which may produce happy effects.

I am with sincere affection, your's, Wm Whipple.

[P.S.] Was I accustomed to tremble, I should tremble for our Penobscot Fleet.

Tr (DLC: Peter Force Collection).

John Jay to George Washington

Dear Sir,

Philadelphia 25 Aug. 1779

I have had the Pleasure of receiving your Favor of the 16th Instant.¹ Britain refused the mediation of Spain at a Time when their Spirits were elated by their Successes in the West Indies, and the southern States; and by the Accounts they received of Discord in Congress, Discontent among the People, and a Prospect of the Evils with which we were threatned by the Depreciation of our Currency. Deceived by these illusory Gleams of Hope, they permitted their Counsels to be guided by their Pride. What Reason they may have to expect Succour from other Powers, is as yet a Secret. Mr. Gerard is decided in his opinion, that they will obtain none. The Conduct of France in establishing Peace between Russia & the Porte has won the Heart of the Empress; and the Influence of Versailles at Constantinople, will probably give Duration to her Gratitude. The Emperor & Prussia are under similar obligations. The latter wishes us well—and the Finances of the former are too much exhausted to support the Expences of War without Subsidies from Britain, who at present cannot afford them. There is no Reason to suspect that the Peace of Germany will soon be interrupted. Britain may hire some Troops there but it is not probable she will be able to do more. Portugal and the Dutch while directed by their Interest, will not rashly raise their Hands to support a Nation, which like a tower in an Earthquake, sliding from its Base, will crush every slender Prop that may be raised to prevent its Fall.

General Waynes Letter has been referred to the Committee of Intelligence for Publication.²

You may remember Sir! to have received a Letter from me last winter recommending the Person who carried it as an honest Man and who in my opinion would with great Fidelity do the Business you wished and I advised him to undertake.³

In May last I recieved a Letter from him, informing me of his having written to you at the same Time, and mentioning a Matter of very delicate Nature, which I believe was omitted in your Letter. As he gave me Reason to expect he would soon be here, I avoided Particulars, not choosing to risque more on Paper than was necessary. He has not however been here—nor have I recieved a Line from him for some Time past. From this Circumstance I have been apprehensive of his having relinquished that Business and the more so, as he intimated to me his Doubts of it's being well conducted unless under your immediate Direction—that the Views of the Gentleman with whom he first conversed on the Subject, were not very extensive, & his Attention to Expences too great. The opinion I have of this Man's usefulness, leads me to mention these Matters—that if he has left the Business I might, if you think proper, press him to resume it. If he still perseveres, I do not wish to be informed of any other Particulars.

With perfect Respect & sincere Regard I am, Dear Sir, Your most obedient Servant,
John Jay

RC (DLC: Washington Papers).

¹ This personal letter to Jay is not in PCC, but it has been printed in Washington, *Writings* (Fitzpatrick), 16:115–16, from the draft in the Washington Papers.

² *JCC*, 14:989. Gen. Anthony Wayne's August 10 letter to President Jay, extolling several "brave & Worthy Officers" not previously singled out for their conduct at Stony Point, is in PCC, item 161, fols. 221–24.

³ For this veiled reference to the American spy Elijah Hunter, see Jay's letters of March 28, 1779, to Washington and to Alexander McDougall. For Washington's September 7 response to Jay's concerns respecting Hunter, see Washington, *Writings* (Fitzpatrick), 16:248–49.

James Lovell to George Washington

Sir Augst. 25th. 1779

The following is the latest Intelligence from Europe yet come to my Knowledge.¹ I have sent some Part of it to the Printer; but perhaps this Copy may first reach you, and prove a little respectful Exertion for your Excellency's Benefit, made by, Your humble Servt.

James Lovell

(Copy) Nantes May 25th. 1779

I inclose you an English Paper of May 15th whereby you will see the Temper of the English Councils & the Failure of the Prince Nassau's Expedition to Jersey & Guernsey. However, as the Troops

that were designed for America, under Convoy of Admiral Arbuthnot (being 4000) went to Guernsey, it is probable they will be detained some time & possibly it will prevent their going out at all, as it is reported here daily that a second Expedition is designed for the same Place. So far this will make in our favor.

The English look on that Expedition to be nothing but a feint Manœuvre and are greatly apprehensive that the French have Views of higher Consequence; as in Ireland & Scotland there are great Disorders & Insurrections. There are now in the Province of Normandy 85,000 Troops and all Merchant Ships & Vessels are taken into the Service, but for what purpose is kept a Secret.

I am extremely happy at the Notice with which the Marqs. de la Fayette has been honored from the King, by his giving him his own Regiment of Dragoons which are, it is said, going to America with the Marquis, likewise the Count de la Luzerne as Ambassador in place of Monsr. Gerard, who has desired a Recall on account of his Health. The Count is a perfect Gentleman & has had very favorable impressions respecting the Americans. You will find him Courteous, Affable & Polite without Ostentation; and I think, from 2 or 3 times in which I have had the Honor of Conference with him, he will very much please the Congress & People of America.

The Marqs. de la Fayette has given his majesty & the Court an exceedingly high Character of his new Allies.

The Fleet at Brest consists of 33 or 34 Ships of the Line besides Frigates under the Command of Count D'Orvilliers and tis said they are to sail tomorrow, but it is not known to what Place.

I dont recollect any Thing matériel to subjoin. I am &c.

Joseph Gridley

RC (DLC: Washington Papers).

¹ Congress had also received similar intelligence on August 23 in a letter from Arthur Lee of May 21, 1779. See Jesse Root to Oliver Ellsworth, August 23, 1779, note 1.

John Jay to George Washington

Sir,

Philadelphia 26th Augt. 1779.

Herewith enclosed Your Excellency will receive a copy of a Letter from Major General Philips of the 8th Inst, and of other Papers enclosed with it, marked No. 1, 2, 3 & 4, which together with the Letter are referred to Your Excellency that such Order may be taken on the several matters mentioned in them as You may think proper.¹

The sense which Congress entertain of the merit of Major Noirmont De Laneuville has induced them to pass an Act, of which the

enclosed is a copy, for allowing him the Pay & Subsistence of a Major while he shall continue a voluntier with the Army.²

I have the honor to be, With the greatest Respect & Esteem, Your Excellency's Most Obedient and Humble Servant,

John Jay, Pres.

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ These enclosures consisted of an August 8 letter to Congress from Gen. William Phillips protesting the treatment of prisoners of war, a letter from Phillips to Guy Carleton, and letters to Phillips from William Collier and Henry Harnage.

This day Jay also wrote the following letter to General Phillips on this subject. "Your favor of the 8th Inst, with the several papers enclosed with it, have been received & communicated to Congress, who have referred them to His Excellency General Washington, with direction to take such order respecting the several Matters mentioned in them as he may think proper." PCC, item 14, fol. 179.

² Jay also transmitted a copy of this August 23 resolve in a brief congratulatory August 26 letter to Maj. Noirmont de La Neuville. Ibid., fol. 180; and JCC, 14:989.

John Jay to George Clinton

Dear Sir,

Philadelphia, 27 Aug. 1779.

If New York and New Hampshire will by acts of their respective legislatures authorize Congress to settle the line between them; and if New York will further by act of Legislature, empower Congress to adjust the disputes with the people of the grants on equitable and liberal principles, I am persuaded it would conduce to the interest and happiness of the State.¹ The apprehension of interfering with your police on the one hand, and the apparent equity as well as policy of hearing the revolvers, before a decision against them on the other, are obstacles which at present embarrass Congress.

Mr. Duane was of opinion before he left us that we should forbear further proceedings on this subject in Congress till the sense of our Legislature should be known. I hope it will be one of their first objects, and they will not be too nice and critical in their reservations and restrictions. The jurisdiction is the great point. It is of no great consequence to the State who possess and cultivate the soil, especially as we have vacant lands enough to do justice to individuals who may suffer by a decision against them.

There are many other matters about which I should write to you, were it necessary. As Mr. Morris and Mr. Duane will be with you, you will obtain more particular information from them than my letters.

I wish the Legislature would make it a standing rule, to direct the attendance of some of their Delegates at every session, and enter into free conferences with them on the great affairs of the Continent. Many advantages not necessary to enumerate would result from

such a measure. In times like the present it would be imprudent to trust some things to letters, which at best cannot be so satisfactory as personal interviews.

Several circumstances which have come to my knowledge, lead me to suspect that pains have been taken to injure Morris in the opinion of his constituents.² Justice to him as well as regard to truth obliges me to say that he deserves well of New York and America in general. It has been the uniform policy of some, from the beginning of the contest, to depreciate every man of worth and abilities who refused to draw in their harness.

Pennsylvania suffers severely from it at this day. Many of their former faithful and able servants have been dismissed, and others called to office, who rather receive importance from, than give weight to, the place they fill. The moment any State ceases to be ably as well as honestly represented in Congress, it becomes a cypher, and its vote will no longer be directed by the interest and sentiments of the State, and Union, but by the art and management of designing and plausible politicians. I think it my duty also upon this occasion to assure you that Mr. Duane's industry and attention to business as well as his invariable attachment to the welfare of those who sent him, deserve their commendation. Colonel Floyd's conduct while here gained him much respect; he moved on steady uniform principles, and appeared always to judge for himself, which in my opinion is one very essential qualification in a delegate, and absolutely necessary to prevent his being a mere tool.

I have prevailed upon myself to make these representations because I think them just, and because I cannot suppose they will be ascribed to improper motives by any; by you I am sure they will not. Popularity is not among the number of my objects. A seat in Congress I do not desire, and as ambition has in no instance drawn me into public life, I am sure it will never influence me to continue in it. Were I to consult my interest, I should settle here and make my fortune; were I guided by inclination, I should now be attending to a family, who independent of other misfortunes, have suffered severely in the present contest.

It is of great importance that your delegation here do not remain long in its present situation. Whatever men you may think proper to send, let me again and again press you to send able ones. The reputation of the State is exceeding high. It would be mortifying to see it diminish.

Permit me also to suggest the propriety of adopting a plan by which Massachusetts provides for the maintenance of her delegates. They have a house and keep a table at the expense of the State, besides which an allowance is made them for the maintenance of their families, who ought not to suffer by the loss of that time which is devoted to the public service. Your Delegates on the contrary are not allowed sufficient to maintain or rather subsist themselves.

I have heard of two or three gentlemen, proposed in your State as Delegates, the Chancellor, Gen Schuyler &c. There is another of whom I have heard no mention, Mr. Hobart, who, if he could be spared, would in my opinion be a good member; during the winter he might remain here without great inconvenience to you.

I am obliged to conclude. I am, Dear Sir, your obt. Servt.

John Jay

Tr (MH-H: Sparks Collection).

¹ Coincidentally, this same day the New York legislature was drafting new instructions concerning the Vermont dispute for its delegates in Congress. See PCC, item 40, 1:259–60, 301–8; and Edmund B. O'Callaghan, ed., *The Documentary History of the State of New York*, 4 vols. (Albany: C. Van Benthuysen, 1851), 4:987–92.

The suggestion made here by Jay that New York “empower Congress to adjust the disputes with the people of the grants on equitable and liberal principles” anticipated the actual solution that Congress eventually adopted in its resolutions on Vermont of September 24, for which see Jay to Thomas Chittenden, September 25, 1779.

² Gouverneur Morris had just obtained leave of absence from Congress on August 25 at the urging of friends, to return to New York to defend himself against partisan attacks in the assembly, but to no avail. When the legislature selected delegates to Congress on October 1, 1779, Morris failed of election by a narrow margin. See Max M. Mintz, *Gouverneur Morris and the American Revolution* (Norman, Okla.: University of Oklahoma Press, 1970), pp. 134–37.

James Lovell to Abigail Adams

Aug. 27th. [1779]

Talking about Friendship and other Classes of Affection would, just at this Period, be but an insipid Business between you and me. I mean all the Insipidity for your Side of the Question; For on mine it would be of a worse Kind. I am as certain, as I am that I am now spoiling Paper, that I could not get through any one Branch of the Topic without a Sort of a Kind of Envy in my Bosom; a Passion as mean as it is troublesome. I am not apt to be plagued with it; but, some how or other, under the Influence of Contingencies, relating to you & me and a Friend of both, which have happened since the 3d of this Month,¹ my Brains, I mean the wild part of them, are so affected that it would take me an hundred Struggles to get clean shot of Envy if I once begin that Talk above mentioned. Now I bar your ever telling me that you did not know I had a wild part to my Brain. Why, there is scarcely a Parson in twenty Parishes that has not more or less of it. Nay, consult the Journals which I send you, and you will be convinced that the Wiseacres in Chesnutt Street Philadelphia are furnished with the same Variegation of the Qualities of the Cerebellum. And if all the Members of CONGRESS have a wild part to their Brain, for Mercy's Sake tell me who *can* be without it. I hope no one will be so malicious to my System as to whisper Portia. “But what is all this Stuff about the *Brain*, it was yr. *Bosom* that the Suspicion

arose about?" Oh, I recollect it. But, my Monitor, I have catched you astray. Even Portia, thus, is sometimes *wild*. How could *you* ask me such a Question? You whose Bosom has so often lately throbbd and even aked at only *hearing* that a Vessel *did* or did *not* sail, at only *reading* the Superscription of a Packet a little larger than usual; nay at only *thinking* at midnight when you neither heard nor saw any Thing? This is what your logical Gentry call Argumentum ad Hominem. Homa being Latin for Woman, as I suppose your youngest Boy has told. Do remember to the Person to whom you give the Journals. The Porter says the post is going, J L

RC (MHi: Adams Papers).

¹ That is, the date John Adams reached America.

John Penn to John Jay

Dear Sir Colo. Pendletons,¹ Sepr. [i.e. August] 27th. 1779

I am thus far on my way home, I got to Annapolis as soon as Doctor Burke & Mr. Randalp,² I have the pleasure to tell you that I never saw such a prospect for Corn as the present crop, it is thought that there will be much more made than has been for many years past.

Mr. William Lee has directed his Brother to pay all the Gentleman in Virginia to whom he was indebted for Tobo. shipped to him at the rate of 33¹/₃ per Cent. Colo. Mason has a Bill protested for about £1000,³ all Mr. Lee's Shifts, his hiding himself to prevent being seen, and the manner in which the French Gentleman pursued him, the Questions put to Lee's Servants, their answers, and the assistance they gave in having him discovered are mentioned at length in the protest, when Lee could retreat no farther he denied he was the man, he directly went to Nantz & wrote Colo. Mason that he had directed his Brother to pay him, but antedates his letter three or four months, this Mr. Mason says he can prove, the above is what I have been told by several Gentleman that have conversed with Mr. Mason & has seen the papers. Something ought to be done relative to this man, if the above is true, & nobody here doubts it, Mr. Lee ought not to be employed any longer in the service of the United States.

If my prayers or wishes are of any consequence, you are restored to health long before this; pray Remember me to Sir James, Colo. Livingston, Mrs. Jay, and Lady Kitty and believe me to be with great truth, Your sincere Friend &c, J. Penn

RC (NNC: Jay Papers).

¹ That is, Edmund Pendleton of Virginia, under whom Penn had studied law and at whose home he often stayed on his way to and from Congress. Edmund Pendleton,

The Letters and Papers of Edmund Pendleton, 1734–1803, ed. by David J. Mays, 2 vols. (Charlottesville: University Press of Virginia, 1967), 1:94–95, 214, 298.

² For Penn and Thomas Burke's temporary leave-taking of Congress, see North Carolina Delegates to Richard Caswell, August 5, 1779, note 2. Edmund Randolph of Virginia had presented his credentials to Congress on July 22 and voted for the last time on August 14, although his account for "27 days service" indicates that he may have served until August 17. *JCC*, 14:861–62, 967; Continental Congress Papers, Vi. He left Congress after less than four week's attendance because he found, as he had expected, that his "experiment" as a delegate was incompatible with his duties as the state's attorney general. He explained to Speaker Benjamin Harrison in an October 5 letter of resignation that "the interest of the commonwealth makes an advocate necessary in the courts of Appeals & Chancery, and in the general court, some of which will be sitting, with scarcely an interval of two months, from this time to the end of my delegation." He further cited "the dependence of my family on the fruits of my profession." Edmund C. Burnett transcripts, DLC, from an original then in the possession of Stan V. Henkels. The assembly accepted his resignation on October 26. *Journal of the House of Delegates of the Commonwealth of Virginia* [October 4–December 24, 1779] (Richmond: Printed by J. White, 1827), p. 24.

³ For the events described here and the protracted legal battle between George Mason and William Lee over tobacco consigned to Lee in 1775, see Mason, *Papers* (Rutland), 1:240, 340–41, 439–41, 2:487–88, 491, 501–2, 537–38, 3:1155–56, 1162, 1168–69, 1171–73, 1202–3, 1267–70.

James Lovell to Richard Henry Lee

Dear Sir

Augst 28th [1779]

Very ill, probably with a settled fever, I must be short. Mr. Bennit, on the 27th, delivered to me all the Papers you specified.¹ I send you what letters I have by me that I think you want. If you find them unnecessary you may spare the duplicates.

You have a Copy [of] Arthur's Letter of Feb. 10th to the President with all the Vouchers. So that much trouble will be saved.

By your sending me *Feb. 25th to the Chairmn of the Comtee &c* without calling off the last leaf I imagine you meant to have it presented in that form. I *had* thought otherwise, on seeing that you was to do as you pleased; and I had struck out the word *motley* as it admitted of two references, when your Brother intended one only.²

There are remarks upon the Correspondence between the Doctr. & He relative to Papers.³ I do not know but they are also to yr. Discretion but as they have appeared in the Congress Room I shall let them be read, so that I may probably add the last Sheet above hinted at, when there shall be Time, but a special order this day prevented.⁴

A Letter of Apr 27 *to the Chairman* in answer to the 2d. Paper of Deanes sent by the Marqs. is recd. and has been offered.⁵ There is but little news. I send you an *extract* prepared on purpose for you. I wish I may come at the double of it, as it would do better to lend to such men as J B Smith than the more lengthy performance.

Read	dated ⁶	
Mar 4	Decr. 3.	J Adams
5	8	do
	July 23.	B F & J A.
May 10	Sepr. 22.	B F. A L & J A.
July 14	Mar. 4 —79	R. Izard.
15	Oct 5/8	} A Lee
	Nov. 18	
	Decr. 5	
	Jan 5 —79	
	15	
	20	
	Mar 4 ⁷	
	Apr 6	
27	Jan 28.	R Izard.
Aug. 17	May 26.	B F.
19	Sepr. 12 —78	Wm. Lee (12, 20 & Octr. 15 were read Feb. 22.) ⁸
20	Feb 13 —79	} J Adams
	Aug 3	
	4	
Aug 23	May 21.	A Lee
On hand	Feb 25	} W Lee
	Mar 25	
	Apr. 26	A Lee
	Feb. 25	A Lee to Chairman
	Apr 27.	A Lee to do
	Remarks on the following Z	
	Letters between A. L. & B. F. Z	
	Vouchers No. 1, 2, 3, 4, 5, 6	
Apr. 23d	A L's memorial respecting the Accounts of Mr. Williams and the history of Doctr. F's Conduct connected with his Patronage of W—— in particular. ⁹	
My Pen, I can hold no longer, affectionately		J L

Augst. 28th. I have pd. the Bearer in full 879 1/3 dollrs. It was yr. Brothers intent that a Post conveyance shd. be used. We shd. have had them sooner, without Expençe. The post I esteem safe now.

RC (ViU: Lee Family Papers).

¹ Lee had forwarded by William Bennet several documents brought to the United States by Arthur Lee's secretary, Hezekiah Ford. Lee, *Letters* (Ballagh), 2:116–17.

² In his February 25, 1779, letter to the Committee for Foreign Affairs, Arthur Lee had written: "There were no books of accounts—nothing but a confused mass of motley refuse papers, without order, reference, or effect." Wharton, *Diplomatic Correspondence*, 3:64.

³ This was the unsigned letter read in Congress on September 2 that Lovell described in his September 17 letter to Arthur Lee. *JCC*, 15:1016. Benjamin Franklin's and

Arthur Lee's letters "relative to Papers" of the commissioners are in Wharton, *Diplomatic Correspondence*, 3:51–52, 54, 76–78, 89–90, 102.

⁴ This day, "According to order, Congress took into consideration the report of the committee relative to finance." *JCC*, 14:1005.

⁵ Arthur Lee's April 27, 1779, letter concerning the contract with the French Farmers General is in PCC, item 83, 2:537–44.

⁶ The letters listed here by Lovell, except as noted, are in PCC.

⁷ This may be the letter "without date" from Arthur Lee recorded in the journals on July 15, but no March 4, 1779, letter of Arthur is in the PCC. *JCC*, 14:836.

⁸ Charles Thomson's rough-draft journal records that letters from William Lee of September 12 and 21 and October 15, 1778, were read on February 22, 1779. PCC, item 1, 20:264. No William Lee letter of September 20 or 21, 1778, has been found in PCC.

⁹ Arthur Lee's April 23, 1779, "memorial" is not in PCC, but it was printed as *Observations on Certain Commercial Transactions in France Laid before Congress* (Philadelphia: Printed by F. Bailey in Market-Street, 1780). Evans, *Am. Bibliography*, no. 16,819.

William Sharpe to Thomas Burke

Dear Sir

Philadelphia Augt. 28th 1779

I most heartily congratulate you on the success of Major Lee against Powles-hook. The very difficult approaches, and the very dangerous retreat, makes it if possible a more brilliant affair than that of Stoney point—particulars of which you may see in one of the inclosed Papers. Genl. Washingtons & Major Lee's letters came to hand yesterday accompanied by the British Standard—but too late to have a place in this mornings paper.

The new Minister has not arived at this place. No news from Europe since you left us—nor from the West Indies.

No certain accounts of the surrender of Penobscot—reported that it surrendered the 5th Instant. I think it may be depended on that Arbuthnot arived at New York the beginning of the week. It is said he has about 4000 Troops. Last Sunday one of Blair Mclenahans armed vessels took one of Arbuthnots fleet off Eggharbor & sent into this River—she will be up to day it is said her cargo consists of a number of pieces of Brass artillery, Cloathing, Tea, Silks &c.—of great value.

Nothing of importance done in Congress since your Departure—have now taken up the subject for stoping farther emissions. Sir your Most obt. Servt.

Wm Sharpe

RC (Nc–Ar: Burke Papers).

John Jay to Baron de Knobelauch

Sir, Philadelphia 29th August 1779.

I have the pleasure of transmitting to You, herewith enclosed, a copy of an Act of Congress of the 26th Inst. It expresses the sense entertained of your Merit as an Officer, and your zeal for the welfare of these States, And provides a compensation for the Expences attending your Endeavours to serve them.¹

With Sentiments of Esteem, I am Sir, Your most Obedient and Humble Servant. John Jay, Presidt

RC (DNA: PCC, item 78). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ Knobelauch, "a Nobleman of an ancient Family" in Brandenburg, had been permitted to serve as a volunteer in the Continental Army since August 1778, but his persistent requests for a commission and a position more to his satisfaction fell on deaf ears. In its resolve of August 26, Congress thanked the baron for "his zeal to serve these states" and appropriated 5,000 Continental dollars "to defray his expences in coming to America, and to enable him to return to Europe."

In a response to Congress of September 4, Knobelauch expressed surprise that he should be offered only the equivalent of \$250 specie, which would cover but one twenty-fifth part of his actual expenses, and renewed his application for a more adequate sum. As a result of this appeal, Congress reconsidered his case and on September 16 increased their grant to \$10,000. For Knobelauch's American saga, see *JCC*, 13:464, 14:934-36, 996-97, 15:1021, 1069-70; these *Letters*, 10:442n.5; and the dozen letters and memorials he submitted to Congress in PCC, item 78, 13:459-62, 471-78, 493-96, 507-20, 527-52, especially the long June 2, 1780, letter recapitulating his trials at fols. 559-66.

John Jay to Joseph Reed

Sir, Philadelphia 29th Augt. 1779.

Herewith enclosed Your Excellency will receive an Extract of a Letter from the Board of War, and a copy of an Act of Congress of the 27th Inst, respecting Rations furnish'd by Commissaries of the United States, to the distressed Inhabitants of the Frontiers of Pennsylvania.¹

I have the honor to be Sir, with great Respect Your Excellency's most Obedt. Servant.

LB (DNA: PCC, item 14).

¹ Congress had received an appeal from a body of inhabitants of Northumberland County, Pa., for permission to draw rations from the Continental commissary of issues in the area, citing their distress because of recent incursions from Indians on the frontier. The Board of War reluctantly recommended that since rations were in fact currently available, the commissary be authorized to continue to distribute them temporarily, chargeable to the state of Pennsylvania, but that the legislature be reminded of its responsibility to make provision for the region "in future." See *JCC*, 14:1004; and PCC, item 147, 3:581-85.

John Jay to George Washington

Sir, Philadelphia 29th Augt. 1779.

I have been honored with your Excellency's Favors of the 21, 23, 23rd Instant, and the several papers referred to in them.¹

The enclosed copy of an Act of Congress of the 27th Inst, will communicate to your Excellency the sense of Congress relative to your Plan for conducting, & measures for executing the western Expedition.²

I have the Honor to be, with the greatest Respect and Esteem,
Your Excellencys Most Obedient Servant. John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ Washington's August 21 and two August 23 letters to Jay are in PCC, item 152, 7:605-8, 625-28, 669-72, and Washington, *Writings* (Fitzpatrick), 16:140-42, 155-57.

² Washington's "Plan for conducting & measures for executing the western Expedition" had been communicated to Congress in a letter of August 15, which was referred to a committee on the 23d. Congress' August 27 resolve adopting the committee's recommendations simply concluded "that Congress are perfectly satisfied with the General's conduct relative to the same." *JCC*, 14:989, 1004.

Committee on Appeals Decree

August 30th. 1779.

Joseph Stanton Esqr. & al Lib[ellan]ts	}	Appeal from the State of Rhode Island. ¹
& App[ellan]ts &c. vs		
The Schooner Two Brothers her Cargo &c.		
Samuel Champlin &c. Claim[an]t & App[ell]jee		

We the Commissioners appointed by Congress to hear, try and determine all Appeals from the Courts of Admiralty of the several American States to Congress having heard and fully considered as well all and singular the Matters and Things contained and set forth in the Record or Minutes of the proceedings of the Court of Admiralty for the State of Rhode Island in the above Cause as the Argument of the Advocate on the part of the Appellants and no person appearing on the part of the Appellees (altho' sufficient Notice appeared to have been given them) do thereupon adjudge and decree that the Sentence or Judgment of the Court aforesaid be in all its parts revoked, reversed and annulled and that the Schooner or Vessel called the Two Brothers abovementioned with her Tackle, Apparel and Furniture and all and singular the Goods, Wares and Merchandize laden and found on board her at the Time of her Capture as mentioned in the Bill of the said Joseph Stanton and others filed in the above Cause be condemned as lawful Prize to and for the Use

and Behoof of the said Joseph Stanton and others for and on Behalf of whom he and they libel and appeal And that Process issue out of the Court of Admiralty aforesaid commanding the Marshall of the said Court to sell the said Schooner Two Brothers her Cargo &c at publick Vendue for the highest Price that can be gotten for the same and after deducting the Costs and Charges of the Tryal in the said Court of Admiralty and of the Sale of the said Schooner &c that he pay the Residue of the said Monies arising from the said Sale unto the Appellants aforesaid their Agent or Attorney to and for the Use of themselves and those on whose Behalf they appeal as aforesaid And We do further adjudge and decree that the Appellees pay unto the Appellants in this Cause three hundred and ninety six Dollars for their Costs and Charges by them expended in sustaining and supporting their said Appeal.

Thos M: Kean

Wm. Paca

Jesse Root

MS (DNA: RG 267, case no. 18). In a clerical hand, and signed by McKean, Paca, and Root.

¹ The Rhode Island Court of Admiralty had awarded the schooner *Two Brothers* and her cargo to Samuel Champlin on April 2, 1777. Champlin, commander of the privateer *American Revenue*, owned by Nathaniel Shaw of New London, Conn., had captured the *Two Brothers*, commanded by John Salter of Ireland, on January 3, 1777. While being brought into port the schooner became stranded on the beach near Westerly, R.I., where it was "captured" on February 3, 1777, by Col. Joseph Stanton and other members of the 1st Regiment of King's County militia. The schooner was libeled in the Rhode Island Court of Admiralty on February 11 by Stanton and on February 12 by Champlin.

After the Rhode Island court decision, Colonel Stanton appealed to Congress, where the case was referred on May 13, 1777, to the Committee on Appeals. After a two-year delay, the committee in this decree reversed the state court's decision—"no person appearing on the part of the Appellees." Champlin and Shaw subsequently filed a petition for a rehearing before the newly created Court of Appeals, on the ground that they had received insufficient notice of the original hearing on appeal, but a number of difficulties, including Shaw's death in April 1782, delayed granting the request until October 2, 1782. The Court of Appeals ultimately reversed the Committee on Appeals on May 28, 1783, affirming the state court's decision and awarding the proceeds of the *Two Brothers* to Champlin and Shaw's heirs.

See JCC, 7:351; case file no. 18, RG 267, DNA; Morgan, *Naval Documents*, 8:250–54; and Ernest E. Rogers, *Connecticut's Naval Office at New London during the War of the American Revolution*. New London County Historical Society, *Collections* (1933), 2:330–32. See also Benjamin Huntington to Nathaniel Shaw, June 12, 1780.

John Fell's Diary

[August 30, 1779]

Returnd to Philadelphia in the morning of Monday August the 30th.¹

Congress. The day chiefly spent in debates about, and reading A Lees & Wm Lees Letters from France.

MS (DLC).

¹ For Fell's two-week absence from Congress, see John Fell's Diary, August 16–17, 1779.

Samuel Holten's Diary

[August 30, 1779]

30. Monday. The Accts. this day by the Post are, that our fleet at Penobscot are all cut of[f] by the enemy.

MS (MDaAr).

John Jay to Caesar Rodney

Sir, Philadelphia 30th Augt. 79

Your favor of the 26th Inst, was received & communicated to Congress this morning. It is their wish that the Embargo might be continued until your Excellency shall be further informed by Congress.¹

With Esteem & Regard I have the honor to be Your Excellency's most Obedt. Servant.

LB (DNA: PCC, item 14).

¹ Congress had adopted two resolves on August 21 and 25 to extend the embargo on provisions, due to expire September 1st, to the end of the year, but to remove all restrictions on the inland trade between the states. These resolves proved controversial, however, and Congress reconsidered the matter on September 8 when it defeated a motion to limit the extension of the embargo to October 1. The "transmission" of the resolves to the states was thus delayed until September 14 because, as Jay explained cryptically in his circular letter, "it was the sense of Congress till within a few days."

It was in the midst of this uncertainty over the future of the resolves that Congress received President Rodney's August 26 letter seeking instructions on whether "Congress think it necessary that the Embargo should be continued," which he could, with the concurrence of his council, constitutionally extend for 30 days. Thus the delegates this day immediately decided to send Rodney this explanation, undoubtedly in the conviction that they could finally resolve the matter in less than 30 days. See *JCC*, 14:953–54, 979–80, 984, 986–87, 994–96, 1007, 1036–37; and Jay to the States, September 14, 1779. Rodney's letter to Congress is in PCC, item 70, fols. 709–12; and Rodney, *Letters* (Ryden), p. 316.

John Jay to George Washington

Sir, Philadelphia 30th Augt. 1779.

I have the honor of transmitting to your Excellency an Account of the Enemy's force with Admiral Arbutnot, from Arthur Lee Esqr. and am with the highest & Esteem Your Excellency's Most Obedt. Servant.¹

LB (DNA: PCC, item 14).

¹ JCC, 14:1008. Lee's April 26, 1779, letter to the Committee for Foreign Affairs is in PCC, item 83, 2:224–47, and is endorsed by Charles Thomson, "Read Aug. 30. 1779. Extract to be sent to genl Washington." Although it has not been found in the Washington Papers, the pertinent paragraph from Lee's letter reads: "The reinforcements sent and sending out to the army against you amount to about eight thousand in new Scotch levies and British and German recruits. It is the plan of the British ministry, as far as I can learn, to make great exertions in this campaign both against the United States and the French islands. Their war against you will in all probability be in expeditions against different parts." Wharton, *Diplomatic Correspondence*, 3:138. See also Jay to Washington, August 31, 1779.

John Fell's Diary

Tuesday August the 31st. 1779.

Commercial Committee. Congress. This day spent in a disagreeable complaint of Mr Lawrence against Secretary Thompson, others Join'd, at last a Committee was appointed to hear the Parties.¹

P.M. Marine Committee.

MS (DLC).

¹ See Henry Laurens to a Committee of Congress, September 1, 1779.

Cornelius Harnett to Richard Caswell

Dr Sir,

Philadelphia August 31st. 1779.

Since I had the honor of writing to your Excellency a few weeks ago,¹ great changes have happened in the face of Political affairs in Europe. The Court of London's refusing the Mediation of Spain, brings the latter into an immediate Commencement of Hostilities, which by the latest accounts received, (tho not officially communicated as yet,) are already begun, and may perhaps be a means of continuing the War some time longer should the Allies be successful this Campaign, perhaps Britain may be brought to reason, and agree to negotiate the next winter.

Sixty odd sail of large vessels entering at Sandy Hook, a few days ago, makes it probable Arbuthnots fleet is arrived with Troops—some say 8000, some 4000, & others 3000. The successes of the combined Fleets of France & Spain, in the West Indies, may oblige the Commander in Chief at New York to send strong reinforcements to the British Islands which will help these States greatly. It is thrown out that the Enemy intend to carry on no more than a Depredatory war against these States for the present laying aside the Idea of Conquest. It therefore no doubt behoves the several states to guard well their Sea coasts. Your Excellency will no doubt be particularly attentive to this circumstance. I would wish the state I have the honor to represent, had been more attentive to the procuring arms

to put into the hands of our people. I fear should any attack be made upon us that we shall be exceedingly deficient in this useful article for defence. Surely something is done at the mouth of Cape Fear River—a very small battery of heavy Cannon there, would protect us (at least) from small Cruisers.

The Count De-la-Luzerne is not yet arrived from Boston. Mr. Gerard remains here until he comes, & then will proceed in a Frigate for France. The Count is represented as a Gentleman of great politeness, and a consummate Politician, connected with many of the first families in France.

The two late very Brilliant affairs at Stoney Point and Powles Hook shews that a spirit of Enterprise has taken possession of all ranks in the army—and will no doubt make the Enemy very cautious in their movements hereafter. It is impossible for a person at a distance to conceive the excessive prices every necessary of life is advanced to in this City. Congress seem determined to put a stop to further emissions of money. I wish they may be able to accomplish this desirable object, and supply their Army—but many are apprehensive of the Consequences that may attend the measure.

We are informed that the N. England Expedition against Penobscot has failed, and that the Enemy has destroyed or taken the little fleet. This misfortune has been long expected, expeditions by Sea are dangerous while the Enemy's Fleets continue the command of that Element. I hope this affair is not so bad as represented. Congress have not as yet recieved the account from authority.

I take the liberty to enclose a few news papers, and have the honor to be with great respect, your Excellencys mo. ob. huml. Servt.

Corns. Harnett.

Tr (Nc—Ar: Governor's Letterbook).

¹ See Harnett to Caswell, August 11, 1779.

John Jay to William Glascock

Sir, Philadelphia 31st Augt. 1779.

Your favor of the 10th Ult. has been received and communicated to Congress.¹ By their Acts of the 24th & 30th Inst, You will perceive that they have unanimously resolved to assure You of their determination to give You all possible Support, & have allotted five hundred thousand Dollars for the Immediate Service of Georgia.²

Permit me to observe that the transactions of Persons who may undertake to act as spies for us ought to be kept as secret as possible & not unnecessarily exposed to the risque of detection; Your Letter upon this subject was rather too particular.³

I have the honor to be Sir, Your most Obedt & Hble Servant.

LB (DNA: PCC, item 14).

¹ Glascock's July 10 letter to Congress is in PCC, item 73, fols. 240–45.

² Georgia was apprehensive that "being one half in full Possession of the enemy" and not represented in Congress, she might be abandoned by her sister states. Congress therefore resolved that "Georgia be assured of the determination of Congress to give them all possible support," and appropriated \$500,000 for her defense to provide tangible evidence of their commitment. See *JCC*, 14:990–91, 1006. For the situation in beleaguered Georgia at this time, see also Edward Langworthy to John Houstoun, April 5, 1779, note 2.

³ Glascock had written that one of his spies had recently been in Savannah, where "he was Invited to Breakfast with Col. Prevost . . . and while the Governor was busy he pretended to Amuse himself with some books that lay about in the room and in the mean time discover[ed] two letters that had been Just wrote," details so specific that he could easily have been identified had Glascock's letter been intercepted.

John Jay to Benjamin Lincoln

Sir,

Philadelphia 31st Augt. 1779.

I have been honored with your favors of the 9th & 22nd Ultio. They were immediately communicated to Congress & committed. No Resolutions have as yet been entered into on the Subject matter of them; Whenever these are they shall be transmitted without delay.¹

You will perceive by a copy of an Act of Congress of the 30th Inst. that in the case specified in it the money allotted for Georgia & sent to Joseph Clay Esqr. will be disposed of by your advice or that of the Commander of the forces in your Department for the time being.²

I have the honor to be Sir with great, Respect & Esteem Your most Obedt. Servant.

LB (DNA: PCC, item 14).

¹ Neither of these letters is in PCC, but the general's letterbook copies are in the Lincoln Papers, MHi.

² See the preceding entry, note 2.

John Jay to George Washington

Dear Sir,

Philadelphia 31 Augt. 1779

The enclosed Account of the Reinforcement with Admiral Arbuthnot is copied from one recd. by Mr. Jos. Wharton from his Friend in Paris.¹ The Confidence Mr. Wharton has in his Correspondent induces him to think this Account may be relied upon.

I am Dear Sir, with perfect Regard, your most obt. Servant.

John Jay

P.S. Mr. Wharton would not chuse that this line of Intelligence should be generally known.

RC (DLC: Washington Papers).

¹ Wharton's correspondent, writing on May 25, 1779, reported that he had "just received certain advice from a Gentleman *in office* in London," that Adm. Marriot Arbuthnot was preparing to sail for America with four ships of the line, all 74s, and 2,800 reinforcements. This enclosure, in Jay's hand, is in the Washington Papers, DLC. See also Jay to Washington, August 30, 1779.

Henry Laurens to Richard Henry Lee

My Dear sir,

Philadelphia 31st August 1779.

Since the date of my last trouble the 24th Inst.¹ I have been honored with your favors of the 13th & 23d,² The former by an express Messenger, who assured me he should not return till this day, but I learned last Night at Mr. Lovel's that he went off suddenly on Sunday. Yesterday I received at Congress two Packets & one small Letter directed to you, these I apprehend came by the Eastern Post, at Mr. Lovel's request I shall send them to him to be forwarded in a proper manner.

I am sorry to find you continue an Invalid, but how can it be otherwise if you also continue to fatigue both body & mind. You must not allow the attempts & designs of wicked Men to operate in the very manner they would wish, let us proceed fairly, & softly & wisely and truth will drive them out of their entrenchments, they are now closely hemmed in & cannot escape.

On Tuesday last at the reading of a Letter from A. Lee Esqr. I moved to commit that Letter together with Mr. Lee's vindication to a special Committee,³ besides the reason of the thing, I grounded my motion on a Commitment of a late Memoire from Mr. Deane, a Copy of which you will receive herewith, you will give this performance a proper name⁴—the Motion was laboriously opposed & in C. T's language,⁵ after sometime spent in debate, ousted by a motion for adjournment.

On some day since Tuesday, a Report from the Treasury was taken up recommending a Warrant to Issue for 10000 Dollars to the Honorable S. D. Esqr in full for his Expenses, from the 4th June 1778. I opposed the Payment of that or any Sum to Mr. Deane until he should account for the large Sums of Public Money which have been in his hands—the question was put shall ten thousand stand—lost. Motion to insert 15000—question lost—to insert 12000—lost—to insert 10500—carried even by voices who were against 10000 or *any Sum*, because they were wearied & had been wearied; this deficiency of firmness & perseverance is the source of much irregularity & much evil in public business. The Yeas & Nays were called for in every stage & finally upon the Resolution, I reflect with pleasure that I stand uniformly through the whole.⁶ A question was asked of the Treasury, has Mr. Deane given in an account of his expences? artfully replied to by a Gentleman⁷ who had formerly

given proofs of his abilities in answering Interrogatories—*not a regular one—not a regular one*—this Gentleman perfectly well knew, that Mr. Deane had given in a very minute *one*, amounting to 29000 Dollars & upwards, he also knew the artifice which had been practiced by one of his Colleagues on The Board to repossess Mr. Deane of a Paper which he discovered could not be crammed down the throats even of the Treasury.

I had seen that account & had been promised a Copy of it but as I am informed, Mr. Duane the very next morning acted a high passion of offence at so shameful a demand & his zeal for the public good carried him rather beyond the line of prudence, he ordered that the Account should be immediately carried back to the demandant, with a declaration that Congress would allow no such accounts—as Mr. Deane has not judged it proper to return that or any other, 'tis not to be doubted but that a Gentleman of Mr. Duane's candor now regrets his rashness in parting with the original. I received this relation from one of those worthy friends who sincerely wish to see right done, but who will not encounter the trouble necessary to accomplish right. I shall endeavor to trace this matter to its source & possibly the whole House will be informed of it.

Saturday last a Letter from Mr. Wm. Lee accompanied by his vindication was brought into Congress, but the "Order of the day" laid those papers asleep, yesterday an attempt was made to keep them out of hearing a little longer, I complained heavily of the Innovation & after much debate they were in part read, the House grew thin, & at length only eight states being present, adjourned—I believe I am wrong, W L's papers were read, those from A L. were not.⁸

My Colleague Mr. Drayton has been confined to his Bed some three weeks past, when I had learned that he was really Ill, I could not refrain from visiting him, his permission being previously obtained. When I approached his Bed he clasped my hand & wept affectingly. After recovering his voice he signified his great satisfaction at seeing me & particularly requested I would write a state of his Case to Mrs. Drayton—the Physicians think him dangerously Ill, say he may live one or two weeks longer—that if he has strength to support the discharge from an abscess in his side, they shall raise him again, but that he will remain an Invalid several Months.

Upon Mr. Drayton's recovery or upon the arrival of another Colleague my continuance here partly depends, but I am much inclined to return homeward in the course of next Month, I believe I shall have the honor of waiting on you before the 1st October. Finances as they were. News from Penobscot very unfavorable but no particulars. I would compound for the loss of all our Ships provided the Soldiers & Sailors escape Capture. Dunlap's Paper of this Morning will present Rowland some intelligence.⁹

I beg Sir you will present my Compliments to your Brother I shall

have much to say to both you & him when I have the happiness of meeting you—deferring to that time will be best—many Clouds will in the meantime pass away & subjects in embrio be matured.

I remain with sincere Esteem & Respect, Your obliged & faithful
humble servant.
Henry Laurens.

RC (PPAmP: Lee Papers).

¹ Not found.

² Lee's letters of August 13 and 21 [not 23d as stated by Laurens], are in the William Gilmore Simms Collection of Laurens Papers, no. 31, MHi microfilm; and Lee, *Letters* (Ballagh), 2:117–23, 130–32.

³ No such proceedings are recorded in the journals for "Tuesday last" [August 24], although "A letter from A. Lee, Esq. dated Paris, 21st May, was read" on Monday August 23. *JCC*, 14:989.

⁴ For Silas Deane's August 16 "Memoire," which was read in Congress on August 19, see Committee of Congress Report, September 9, 1779.

⁵ That is, Secretary Charles Thomson.

⁶ For these August 26 proceedings on "a reasonable allowance for the . . . expences of Silas Deane," see *JCC*, 14:997–1001.

⁷ Probably William Carmichael. Members of the Board of Treasury who were apparently present on August 26 were Carmichael, John Armstrong, Cyrus Griffin, Nathaniel Scudder, and Henry Wynkoop.

⁸ For Laurens' effort on August 30 to bring William Lee's "vindication" to the attention of Congress, see *JCC*, 14:1006–7. Lee's "vindication" actually consists of two documents—a 36-page letter written from Frankfurt am Main on March 8 and one of March 16 written from Paris—which were enclosed in a brief letter to President Jay of March 17, 1779. All three documents are in William Lee, *Letters of William Lee*, ed. Worthington C. Ford, 3 vols. (1891; reprint ed., New York: Arno Press, 1971), 2:539–94. Only the first and last documents are in PCC—item 90, fols. 472–516. The March 16 letter is in Wharton, *Diplomatic Correspondence*, 3:79–83, but Wharton simply reprinted the garbled text of it that Jared Sparks published in his *Diplomatic Correspondence of the American Revolution*, 12 vols. (Boston: N. Hale & Gray & Bowen, 1829–30), 2:339–45, which omits, without acknowledgment, four significant paragraphs.

For evidence that Congress returned to a reading of William's letters on October 11, 1779, see *JCC*, 15:1161–62; and the endorsements on those of March 8 and 16 indicating that they were "received" on that date.

⁹ For Richard Henry Lee's "Rowland" essays, see James Lovell to Lee, August 17, 1779, note 3.

James Lovell to John Adams

Dear Sir

31st of Aug. [1779]

I yesterday recd. yours of May 14 from L'Orient & Aug. 13th from Braintree with several valuable Papers. I hope to be able to write shortly to you on those Topics which are the Subject of yr. Correspondence with de Vergennes. At present, as I have been for several days past, I am engaged in a severe wrestling match with a Chap who has laid many on their Backs here lately. He is known in the Country you have just arrived from by the name of Trépas.¹ I must own he appears to gain upon me particularly Today, tho I follow the Advice of Sr. Jas. Jay & two other Gentlemen, my Col-

league Holten & Mr. Peabody of New Hampshire. I give none of this History to my Family. And I desire you will use it only as an apology to you for saying no more now. James Lovell

[P. S.] I *now* Send papers which in my last I desired you to forward to A.L.²

RC (MHi: Adams Papers).

¹ That is, death or the "grim reaper." Lovell had described his illness as a "settled fever" in an August 28 letter to Richard Henry Lee.

² See Lovell to John Adams, August 24, 1779.

James Lovell to Richard Henry Lee

Sir

31st of Augst. [1779]¹

Yr. favor of the 22d came yesterday to hand.² Mr. Bennet parted from me on Saturday and probably will get home in less Time than he came.³ I shall attend all in my power to the Subjects you have written about: but I am verily exceeding sick confined to the House, my Chamber & my Bed, alternately. I have in vain dabled with Rhubarb. I go upon Tartar emetic this morning. I was in Bed yesterday when I prepared the Scrap for Dunlap. I was loath to let a post day go over without some continuance of the Vouchers of Deanes Infamy. Mr. J Adams on hearing something relative to Mr. De Vergennes & A Lee, has sent me copies of his own Correspondence with that minister on the Subject of Deanes Publication, in the course of which he gives that Testimony in Regard to A Lee & his Brothers Richard & Francis from personal Knowledge, which cannot fail to destroy any evil Impressions Made by Deane's Malignity; and which must do credit to the manly ingenuous Spirit of the Writer. Whenever I dare I will copy them. I must first translate the french, which is the full my present State of Health will allow. This morning came to hand what I now send. I have not examined them, but at the same Time Parliamentary Registers were deliverd. I thought it Transgressn. enough to frank the present. I will send the others by the first opportunity.

J L

RC (PPAmP: Lee Papers).

¹ Although Lovell omitted the year in his dateline, the context of the letter is clearly that of 1779.

² Lee's August 22 letter has not been found, but see Lovell to Richard Henry Lee, August 28, 1779.

³ For the ordeal of the postrider in getting to Philadelphia, see Richard H. Lee, *Memoir of the Life of Richard Henry Lee, and His Correspondence* . . . , 2 vols. (Philadelphia: H.C. Carey and J. Lea, 1825), 1:229-31.

Henry Marchant to Nehemiah Hubbard

Sir Philadelphia Augt 31 1779

It is some time indeed since I recd yours of the 14th of July—A Favour not expected because entirely unmerrited. I did hope that by a second reading of the Letter from Major Scull Secy. to the Board of War, an Extract of which you were pleased to furnish me, You would have seen You had hastily confounded two Matters together, whereby You had as hastily misconceived of me, and that you would not have left me to Explain the Matter—some Time after the Receipt of yours, the Board of War recd a Letter from my Friend Genl Greene with a Number of very formadable Inclosures equally surprising and unexpected.¹ As the whole Business is founded upon a Mistake both of my Character, and what I ever did to procure such unprovoked Reflections as I perceive have been Liberally used—the Board of War were pleased to desire that I would give myself no uneasiness upon the Subject, that they would see the whole properly explained. However I wrote Genl Greene fully and have his Answer,² which gives me full asurance that upon your seeing him again it will be needless for me to dwell upon the Subject—to me it has been a strange Business and I confess I have not been a little hurt. It is surprising too that Gentlemen who so loudly complain of Cruelty a hasty Opinion in Others, should be no more careful how they wound those who never in Word or Deed or Nought had injured them—But wishing that we may all strive for more Temper, and how best to deserve of our Country in the Common Cause (whether we are so happy as to gain the Reward or not) I am, Sir Your Huml Servt,

Hy Marchant

Tr (CtHi: Jeremiah Wadsworth Papers). Addressed: "Nehemh Hubbard D. Q. M Genl Hartford State of Connecticut."

¹ Gen. Nathanael Greene had written to the Board of War enclosing copies of letters of Udny Hay and Nehemiah Hubbard "respecting the rod Iron that Mr. Merchant complaind to Congress about." Greene asserted that the charges were groundless and that Hay and Hubbard were "exceedingly hurt." The journals contain no information on Marchant's "charges," but Greene's July 28 letter to the Board of War is in PCC, item 173, 4:37–39.

² Marchant's letter has not been found, but in his August 24 response to Marchant, Greene had stated:

"I have your favor of the 17th. Upon examining the papers, I readily agree with you that your information to the Board of War has been totally mistaken by Colo. Hay, Hubbard and Starr. I believe it has been altogether owing to the coupling of your information with Mr Hazard's letter. I am very sorry for the accident, as it has tended to injure and wound your feelings as well as heat and rouse their resentment. I am now fully convinced that they have been led from an imaginary injury to recriminate with an improper degree of asperity; but I can assure you, that an information lodged either with Congress or the Board of War, is look'd upon, little short of an impeachment, especially where the evil complained of could with equal facility and expedition, be remedied by a representation to the Principal of the Department, or to the subordinate Agent in whose district it happens. . . .

"The circumstances of your not writing nor calling on me as you went to Congress and giving this information immediately on your arrival, together with several hints I had from Rhode Island, that you was not the warm friend I had ever considered you, prevented my coming to an explanation on the Subject.

"I readily confess to you, I am sore, very sore; The business I have the charge of, is attended with difficulties enough, without adding to the number, either from party or prejudice. The perplexities I have been surrounded with for some weeks past, has kept my spirits in almost a constant fever. To have to stem the torrent of public prejudices, often fomented for the most wicked purposes. To see a want of a generous confidence in the National council, and feel an ungreatful return from those who had been most benefited from my exertions, are galling circumstances." Greene Papers, MiU-C.

Marine Committee to John Beatty

Sir

August 31. 1779

As we understand that Captain Porterfield of the Ship Jason is in close confinement at Boston on Account of the enemys treatment of Captain Gustavus Conyngham, and as we have chosen Lieutenant Hele of the British Navy as a fitter person for that purpose and; have him now confined at this place, we desire that you will give Orders that Captain Porterfield be treated in the same manner with the other Prisoners of war provided his present rigourous treatment has been Ordered in retaliation for Capt. Conyngham.¹

We are Sir, Your Hble servts

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ For further information on this issue, see Marine Committee to Beatty, June 2 and July 5, 1779.

Marine Committee to Thomas Johnson

Sir

Marine Committee of Congress
Philadelphia Aug. 31. 1779

We have the honor to enclose herewith a Copy of a letter from Messrs John M. Nesbitt & Co merchants at this place respecting some Cannon which we have from your State for the use of the Continental Brigantine Baltimore.¹ As that Vessel had been supplied with an other set of Cannon & Messrs Nesbitt & Co were in want of those we had from you, we lent them under the assurances given in the enclosed copy of their letter, we now beg the favor of your Excellency to inform us of the number of those Cannon and whether or not they are charged by your State to the United States.

We have the honor to be, Y'r Excellencys very obed't H'ble
Servant,

Wm. Whipple Chairman

Tr (DLC: Edmund C. Burnett Collection). Endorsed: "Copied from the original, then in the possession of C.F. Libbie and Co."

¹ A copy of John Maxwell Nesbitt's February 3, 1779, letter to the committee concerning the eight 3-pound cannon at issue here is with this letter in the Burnett Collection, DLC.

Nathaniel Peabody to Josiah Bartlett

Dear Sir

No. 6.

Philada. 31 of Augt 1779.

Your kind favour of the 13th Instant Came to hand Yesterday per Post. I am extreemly Obligated to you for the Care you was pleased to take in forwarding my letter to Mrs. Peabody. Any Trouble that letters to, & from me may Give you, I Shall ever with Gratitude acknowledge, and as opportunity may offer, & ability Enable, Shall endeavour to Compensate.

I will Collect the most material Circumstances, so far as I have been made acquainted, relative to the Situation of affairs in Europe, And forward the Same to you in a few days. The, unlucky, Penobscot Expedition will have a Tendency to revive the drooping Spirits of our Enemies if the Stories Currently passing here are true! And I Dread, least the News that our fleet is totally destroyed will Soon be Authenticated.

I inclose you Sundry papers wch. will Convey to you most of the intelligence Circulating in this City. My worthy friend & Colleague, Mr. Whipple, who had Consented to Tarry here a few months Longer, has recd. information That, he is likely to be relieved! by a Nother Member Coming on to take his place!! in Consequence of which he is determined to Set off for home immediately upon the other Gens. Ariving here.¹ Adieu for this time. I am Dear Sir with the most intire Sentiments of Esteam & Respect, Your obedient and very Humble Sevt.

Nathl Peabody

P. S. Please to present my Complts. to the Honorable Committee & other friends.

RC (NhD: Bartlett Papers).

¹ See the following entry.

William Whipple to John Langdon

My Dear Sir,

Philadelphia 31st August 1779

Your favor of the 16th inst is now before me. I wish with you that all the public business was in a more regular train—the disposition you have made of the prize goods I dare say is right. I am much surprised you have heard nothing from the Commercial Committee;¹

I pressed them to write you on the subject you mention, which they promised me they would do and even made minutes of it while I was present. I shall again remind them of this business which is the most I can do. I hope by this time you have more of the Ranger's prizes as by the last accounts from Boston, she with her consorts had taken two Jamaica men and were in pursuit of a fleet of 60 sail, who were without convoy: if they are superlatively successful, it will in some small degree alleviate the misfortune of the Eastern expedition. You'll find by Major Lee's enterprize added to the brilliant affair at Stoney Point, that the spirit of enterprize rises in the army. I wish to see the same spirit rise in the Navy. Lt. Col Talbot has set the example in so eminent a degree that I am inclined to think the rule of succession must give place to his introduction into the sea services, which he seems very desirous of; Would to God a few ships of war could be turned off with as much expediton as the Raleigh was which I have no doubt might be the case if our money was on a tolerable footing—when that will be the case God knows: it's the business of mortals to do their utmost and hope for the best. I shall be prepared to leave this place in a few days after your brother's arrival, which by what you say, I expect will be very soon, though I had made up my mind to tarry some time longer, as by what you wrote me some time ago, it would be more agreeable to him to come in the Fall. I must confess I shall take my leave of Philadelphia with high satisfaction—among other causes that of taking you by the hand will not be the smallest.

I am with particular esteem and friendship, yours,

Wm Whipple

P. S. A sloop with 120 puncheons of rum from Jamaica designed for N.Y. was conducted here last evening by part of her crew: the three persons who had the principal hand in the business, belong to Kittery Point—their names are Saml Odiorne, Wm Brian and John Mose; their friends may not be displeased with this intelligence.

The reason I send you no newspapers is, I have none at hand and have but just time to save the post.

Tr (DLC: Peter Force Collection).

¹ No letter from the Committee of Commerce to Langdon has been found, but for Langdon's difficulties with the committee, see Whipple to Langdon, July 26, 1779.

Henry Laurens' Note on Negotiating Instructions

[August ? 1779]¹

Although the free Navigation through the Mississipi be not stated in the ultimatum yet Congress consider it as an object of great moment to the prosperity of the united States, & therefore they charge the plenipotentiary to exert all his powers to obtain the freedom of that

navigation to the Citizens of the United States—and that in no event the right of the United States to that Navigation be ceded.

MS (ScHi: Laurens Papers, no. 32). In the hand of Henry Laurens.

¹ It is not known when or for what purpose Laurens drafted this note, but it attests to his commitment to obtaining a United States right to free navigation of the Mississippi River. He may have written it in connection with his work on a committee appointed on August 4 “to prepare instructions for a minister plenipotentiary . . . to be appointed for negotiating a peace” with Great Britain, which submitted a report that was adopted on the 14th. Burnett suggested that the document was probably “a motion offered by Laurens at some stage of the discussion of the Spanish question between Sept. 9 and 17,” but it seems unlikely that he would have offered it at so late a date since on August 5 Congress adopted a motion to include “free navigation of the river Mississippi” in the instructions for the minister plenipotentiary and he would not in September have been so concerned that the right might be “ceded.” It is true that John Witherspoon moved on October 13 to instruct the minister to Spain not to insist on free navigation as a condition to negotiating “treaties of amity and commerce [with] . . . his Catholick Majesty,” but the context of the debate on that motion seems remote from the specific concern Laurens expressed here. See *JCC*, 14:922, 924–26, 955–66, 15:1168–69; and Burnett, *Letters*, 4:417n.3. For Laurens’ interest in the related issue of the Floridas and the southern boundary of the United States, see also Laurens’ Notes on a Treaty with Spain, September 9–17? 1779.

Committee to Congress to Jeremiah Wadsworth

Sir

Philadelphia Sept^r 1st 1779

Inclosed is an Extract from Mr Holkers letter requesting orders for Six hundred barrels of flour to be Sent from the State of New York to Boston in the run of this month for the purposes therein Expressed.

You are in Consequence thereof directed to Send on Six hundred barrels of flour to Boston agreeable to Mr. Holkers requisition if it can be done Consistantly with the necessary Supplies for our Army—per Order, your humble Servant,

Jesse Root, Chairman of the
Commte. for Superintending the
Commsy. & Quartr. Mastr Deptnts¹

RC (CtHi: Wadsworth Papers). Written and signed by Jesse Root.

¹ Root became chairman of this committee when Gouverneur Morris, who had previously conducted the committee's correspondence, left for New York on August 26.

John Fell's Diary

Wednesday September 1st. 1779

Coml Committee. Congress. After some time spent in reading A Lees Letters it was Propos'd and carried for Postponing to take up

the order on finance, in regard to stoping the Press. After debate the Previous Question was call'd for Per Mr Lawrence and the Yaes & Naes call'd carried against it. The Motion was that on no Acct more than 200,000,000 should be Emited, and that 40 Million of that sum should not be emited Provided the States would supply it, the Question was divided and agreed to stop the Press, near 5 O Clock.

MS (DLC).

Samuel Holten's Diary

[September 1–2, 1779]

Sepr. 1. Wednesday. Congress resolved that no more than 200,000,000 dollars should be emitted.

2. Thursday. The following Gentlemen dined with us (viz) The prest. of Congress, The Minister of France, The president of the State, Mr Laurens, Mr. McKean, Mr. Paca, Mr. Mathews, Don Juan, Colo Leviston,¹ Mr. Holker, secy to the minr.² & Sir James Jay.

MS (MDaAr).

¹ Lt. Col. Henry Brockholst Livingston.

² Pierre P. Meyer.

Henry Laurens to a Committee of Congress

Gentlemen

[September 1, 1779]

My complaint against the Secretary of Congress for disrespectful behavior to a Member of that Assembly probably would not have been made on the circumstance of Yesterday, had not his behavior upon that occasion been an unprovoked repetition of insults which the Secretary had at divers preceding times offered to Delegates of Congress and to myself in particular. I shall confine myself to a few of the many instances which I have experienced in my own Person.¹

At York Town on the late in the afternoon² the Honorable Mr. Duer with Monsr. Lanuville called upon me as President to enquire what was the result of the deliberations of Congress respecting Monsr. Lanuville the preceding Morning. I replied I could not precisely inform them, because the Secretary had not sent me a Copy of the Resolution, but that as he lived within a few doors I would send to him for it, accordingly I sent the Young Man who acted as my Secretary—the following is a very candid recital of what passed on that occasion.

Mr. Custer, go to Mr. Thomson, give my Compliments to him, desire him to send me the Resolution of Congress of this Morning respecting Monsr. Lanuville.³

Mr. Thomson's Answer—It is not yet entered on the Journal.

Go back to Mr. Thomson, give my Compliments and tell him Mr. Duer and Mr. Lanuville are now here, and that Mr. Duer is desirous of seeing it as it is.

Mr. Thomson's answer—I can't and will not send it—I have it only scrawled on a Piece of Paper.

Mr. Duer expressed great surprise at Mr. Thomson's behaviour and at my patience, and then retired.

I then sent Mr. Custer with the following Message—Go back to Mr. Thomson, give my Compliments to him, tell him I am much obliged, and I must submit to him.

Mr. T's. Ansr.—Well, tell him I am very glad he must submit.

Mr. Custer assured me, that Mr. Thomson had in every instance abovementioned expressed himself with great anger and haughtiness.

Mr. Thaxter, one of Mr. Thomson's Clerks who was present at the delivery of the Messages and answers abovementioned related the circumstance to Major Young, and expressed his astonishment at Mr. Thomson's extraordinary behaviour.

When the Honorable John Adams was appointed a Commissioner at the Court of Versailles, the Secretary produced to me, as President of Congress, a Commission to sign for that Gentleman. I observed to him that the writing was on a single Piece of Paper, much crowded, blotted and interlined, and that he should consider the Commission was to make its appearance before the Court of Versailles, and probably before the King of France, therefore I requested him to have a more decent and correct Copy made; he replied very abruptly—I can't do it over again. I then in the mildest terms said, Mr. Thomson, I will have it copied over fairly in a good hand, and will sign it and you will have nothing to do but to attest it—he imperiously answered, I won't.⁴

After Congress returned to Philadelphia I had frequent occasions to send my Secretary for attested Copies of Resolves of Congress in order to forward them agreeable to the order of the House, in several instances Mr. Thomson returned me for answer, that he had not the Key of the Office, that it was with one of his Clerks, and he did not know where they lodged—these answers were brought to me by my Secretary Major Young, who avers that in many instances which he never reported to me⁵ the answers were given abruptly and unmannerly.

To mark these facts as being barely disrespectful, is dealing tenderly with Mr. Thomson, because I must otherwise charge him with having entrusted all the Public Records in the hands of strangers whose very abode he was ignorant of.

Some time in May last I went into the Secretary's Office and intimated to Mr. Thomson that I was desirous of taking out an old Printed Bill of the British House of Commons, commonly called the Fishery Bill, in order to extract a part of it. Mr. Thomson replied, I

cannot let any Paper go out of this Office without an order of Congress. I said, Mr. Thomson this is not an Office Paper, 'tis an old Parliamentary Bill of no use to Congress and besides here's a duplicate of it in the Desk, I will give you a receipt for this, and will return it in half an hour. Mr. Thomson answered, I can't help it, I will not let any Paper go out of the Office without an Order of Congress; a receipt will not do—well Sir, said I, this is very extraordinary, however there is another way of answering my purpose. I then sat down in the Office and copied the clause or Section of the Bill which I wanted, wished Mr. Thomson a good Morning and thanked him for his politeness.

Every Gentleman will admit this to have been a mark of great and unnecessary disrespectfulness—possibly the Committee may affix another epithet, when I inform them that the Secretary has since that time suffered Papers to be taken even out of the secret depository and carried away without the permission of Congress.

I could recite other instances of gross partiality and arbitrary conduct of the Secretary, but if these are not sufficient to convince the Committee that the Secretary has treated a Delegate of a State with wanton and unprovoked disrespect, nothing else will be so. The particular complaint made Yesterday, is of Mr. Thomson's affrontive answers when I requested him to let me have only two Copies of the Journal for my State which I had an immediate use for. His first answer was—I won't. I replied, you won't Mr. Thomson, what language is this? I tell you I want them for my State—to which he again answered, I won't, but added, till I have given every Member present one; Mr. Thomson then descended from the Platform; I reached out my hand to take another Copy, he snatched from me and said, you shan't have it—this repeated insult brought instantly to my mind his former conduct & provoked me to say, he was a most impudent fellow, that I had a good mind to kick him; he turned about, doubled his fist and said you dare not, I recollected the time and place and let him pass on. When he had humoured himself he returned with many spare Journals in his hands and gave me one, I barely asked him if he might not as well have done this at first.

From the number of Members on the Floor compared with the number of Journals he must have known there were enough for each Member present, and each absent Member, and that for my State I had a right to at least three, according to a Rule established by himself without any authority that I know of. Admitting I had no right to demand, which cannot justly be admitted, or that I had been too peremptory in the demand which I certainly was not; the Secretary ought to have given decent answers, not insulting and irritating denials.

I consider these affronts of the Secretary though offered to a Delegate, and however Mr. Secretary might have intended them, as abuses of power in Office, and affronts to that Assembly of which I

have the honor of being one, and I trust the Committee will view them in the same light, and honor the Body by doing justice to its Members.

Philadelphia

Wednesday A.M. 1st Sepr 1779

Henry Laurens.

MS (ScHi: Laurens Papers, no. 22). In the hand of Moses Young, and dated and signed by Laurens. MS (PHi: Laurens Papers). In the hand of Moses Young, and dated and signed by Laurens.

¹ In response to Laurens' "complaint against the Secretary of Congress for disrespectful behavior," Congress appointed a committee on August 31 "to enquire into the complaint" and "hear the Secretary in his vindication." To this committee, consisting of William Churchill Houston, chairman, Samuel Huntington, and William Paca, Laurens delivered this signed statement of his charges, and the following week the committee received a similar document from Thomson, containing his "vindication." See *JCC*, 14:1008; and Charles Thomson to a Committee of Congress, September 6, 1779.

There is no other mention of this matter in the journals, but two bits of evidence now brought together for the first time make it possible to conjecture the resolution of the incident. On the verso of the statement that Laurens prepared for the committee is found the following cryptic notes in his hand. "Complaint vs. Secretary. Tuesday 31st Augt., to Chair Man, to Mr Paca Thurs. Friday 3d dd [delivered]. Thursday Mr. D. had proposed, prosd. Compromise. Wdsdy 8th." Laurens, it now seems clear, is here referring to his delivery of copies of this document to committee chairman Houston and Paca, and to a compromise proposed by one "Mr. D." The nature of this compromise and the identity of "Mr. D." as John Dickinson can be conjectured from the two following brief paragraphs drafted by him on a scrap of paper located in the Logan-Dickinson Collection, PHi. The first paragraph contains a statement which Dickinson undoubtedly hoped that his old friend Thomson would find acceptable; the second was similarly intended for Laurens, whose acceptance would render a committee report and formal congressional resolve on the subject unnecessary.

"I am sorry," Dickinson wrote, "that any Difference has arisen between Mr. & Me [i.e., Charles Thomson]. I declare, that it was not my Intention to give him any Offence the Day on which he made his Complaints and that it has been & is my wish on all Occasions to treat him with Respect."

"I shall at all Times," the statement intended for Laurens reads, "treat Mr with Respect—and am as much concern'd as he can be, that any Difference has arisen between Us. I am willing, that the Committee should obtain Leave of Congress to be discharged from making a Report."

The absence of any further mention of the episode suggests that both Thomson and Laurens agreed to Dickinson's proposed compromise, and Laurens' endorsement on the document printed here indicates that the details of it were probably worked out on Wednesday, September 8.

² Apparently May 15, 1778, since "the deliberations of Congress respecting Monsr. Lanville the preceding Morning" refer to the appointment of the chevalier de La Neuville as inspector general of the northern department on May 14, 1778. See *JCC*, 11:498–99; and these *Letters*, 9:644n.2, 680–81.

³ The dialogue between Laurens and James Custer and Charles Thomson and Custer reconstructed here is also the subject of the following related document, written and signed by Custer.

"About 5 oClock in the afternoon on the . . ."

"Mr. Laurens, go to Mr. Thomson & give my Compliments to him ask him to send me the Resolution respecting Mr. Laneville.

"Mr. Thomson, It's not yet entered in the Journal.

"Mr. Laurens, go back to Mr. Thomson & give my Compliments to him & tell him

that Mr. Duer & Mr. Laneuville are now here & that Mr. Duer is desirous of Seeing it as it is.

"Mr. Thomson, I can't nor won't Send it, I have it only scrambled upon a piece of paper.

"Mr. Duer expressed great surprize at Mr. Thomson's conduct & took leave of Mr. Laurens.

"Mr. Laurens then Sent me with the following Message, go back to Mr. Thomson & give my Compliments to him & tell him I am much obliged & I must Submit to him.

"Mr. Thomson Answered very haughtily & angrily, Well I am very glad he must submit."

"I took an exact Memorandum of what passed on the above occasion the very Evening it happened & kept it in my own possession—but in removing Papers from York I suppose the Memorandum was lost or mislaid. The original I believe would shew more particularly every word Mr. Thomson said, but I have set down at present no more than what I perfectly remember & am ready to attest. Tuesday 31st Aug. 1779. James Custer." Americana Collection, PPRF.

⁴ For this incident, see also James Lovell to John Adams, October 1, 1779, note 7.

⁵ At this point an asterisk was inserted to which Young keyed the following statement at the foot of the MS.

"These instances I am ready to attest when required—I did not mention every one to Mr. Laurens as I thought it would only tend to chagrin him, and saw him disposed to pass Mr. Thomson's rudeness over without resenting it. Moses Young."

John Fell's Diary

Thursday Sepr 2d [1779]

C[ommercial] Committee. Congress. This day chiefly lost in reading the ridiculous Letters of Mr. A Lee.

PM Marine Committee.

MS (DLC).

John Jay to George Clinton

Dear Sir,

Philadelphia, 2 Sept. 1779.

My last contained a few hints on the subject of our disputes with the people of the Grants. Congress have agreed to stop the press at two hundred millions or as far short of it, as the State of their other resources will permit. In the course of the debate, I intimated my doubts of their obtaining taxes from New York until Congress shall have decided the claims of Vermont.

In my opinion the full tax should be assessed and levied, because we shall never be able to raise it with so little difficulty as at present. I would nevertheless detain every shilling of it till justice be done the State, and for this purpose Congress should be immediately authorized by law to do it effectually, unembarrassed by useless and perplexing provisoes and reservations.

I am, Dear Sir, with sincere regard, your obt. Servt.

John Jay.

Tr (MH-H: Sparks Collection). Addressed: "John Jay (private) to Gov. Clinton."

John Jay to Jeremiah Wadsworth

Sir, Philadelphia 2nd. Sepr. 1779.

You will receive herewith enclosed a copy of an Act of Congress of the 1st Inst, directing the appointment of a Deputy for the special purpose of providing for the Convention-Troops & their Guards.¹

I have the honor to be Sir with Esteem, and Regard your most obed Servant.

LB (DNA: PCC, item 14).

¹ This resolve was adopted pursuant to a recommendation of the Board of War designed to settle a dispute between Col. Theodorick Bland, commander of the Convention Army guard at Charlottesville, Va., and Col. William Aylett, deputy commissary of purchases in Virginia. See *JCC*, 14:1010-12; and *PCC*, item 147, 3:603-6.

William Paca to William Hemsley

Dr Sir¹ 2 Sept. 1779

Apprehending that the General Advertiser Extraordinary may not reach you with the Gazetter by the post I have procured one for you & enclose it. You see Spain has been dealing with sincerity towards us in that our Intelligence relating to her mediation in Revolution to strike in loss of properties was justly founded.

Our frigates you'll find have been very successful against the Jamaica Fleet.

Arbuthnot is arrived.

The Penobscot Expedition has failed: I fear our fleet there is either destroyed by ourselves or Sir Z. Collins [George Collier]—our people took to the country and will escape. Yr, W Paca

Tr (MdHi: Revolutionary Collection). Dr. L. S. Welty typescript, Denton, Md., 1934. Endorsed: "Letter to Wm Hensley [Hemsley] Esq, Queen Ann's County, Maryland."

¹ Col. William Hemsley, a justice of the peace and an officer in the Queen Anne's County militia, served several terms in the Maryland Senate and was a delegate to Congress in 1782-83. *Bio. Dir. Cong.*

Committee of Congress to Caesar Rodney

Sir Philadelphia September 3rd 1779

The Commissaries of Purchases have directions from this Committee to enter into Contracts for the purchase of as large quantities of Flour as they can not exceeding two hundred thousand Barrels on

the most reasonable terms they shall be able—that being the quantity necessary to Supply the Public Exigences the Current Year. This quantity must be drawn principally from the States of New York, New Jersey, Pennsylvania, Delaware, Maryland and Virginia—of which the quota of your State is calculated at twelve thousand Barrels. The present exhausted Condition of our Magazines having not more than a Supply of three weeks on hand as appears by the inclosed Extract from the Commissary Generals Letter—the impracticability of drawing any immediate Supplies from the States of New York and Jersey calls for the most vigorous Exertions of the powers of your State¹ to Co-operate with and facilitate Col. Ephraim Blaine Deputy Commissary General of Purchases for the Middle District in procuring the Supplies of Flour so immediately wanted.

Your Excellencys well known Ardour in the Common Cause will need no Incitements to induce you to lend Col. Blaine every assistance in your power to promote a business so pressing and Important in such way and by such means as Your Excellency with him shall think most proper and necessary.

Signed per Order of the Comtte for Superintending the Commissary & Quarter Masters departments, your Excellencys most obedt. & most humble Servant, Jesse Root, Chairman

RC (NH: Rodney Manuscripts). In a clerical hand and signed by Jesse Root.

¹ A nearly identical letter from Root to Maryland governor Thomas Johnson, setting the Maryland flour quota at "Fifty thousand Barrels," is in the Red Books, MdHi. If Root wrote similar letters to Pennsylvania and Virginia, they have not been found.

Committee of Congress to George Washington

Sir, Philadelphia 3d September 1779.

We have received Your Excellency's favor of the 20th Ultio. & return our thanks for its contents, which will afford us much assistance in forming a Report to Congress respecting the Mustering department, but the Papers which accompanied our Letter of the 5th July are also necessary to our further proceeding, we therefore request you Sir, to order these to be transmitted to us by an early opportunity.¹

We have the honor to be, with very great Esteem & Respect, Sir, Your Excellency's Most obedient & humble servants, signed by desire of the Committee, Henry Laurens

RC (DLC: Washington Papers). Written and signed by Henry Laurens.

¹ In their letter of July 5, the committee, consisting of Laurens, Nathaniel Scudder, and Joseph Spencer, had asked Washington whether the muster department should be abolished or continued, and after convening a council of general officers he reported their opinion that the department "was now become unnecessary." The reason, he explained, was that the expanded duties of the inspector general's department now substantially included those of the muster-masters.

The matter seems not to have been urgent, however, for not until after Woodbury Langdon and George Partridge replaced Laurens and Spencer in November did the committee submit a report, which was written by Partridge. The committee's recommendation for abolishing the muster department was eventually adopted by Congress on January 12, 1780. See *JCC*, 14:734, 770–71, 15:1274, 1329–30, 16:47; Washington, *Writings* (Fitzpatrick), 16:134–36, 276; PCC, item 152, 7:599–602, 8:17–20, item 19, 3:187–89; and Wright, *The Continental Army*, p. 145. The committee's original letter to Washington of July 5 has not been found.

For the appointment of this committee in response to a June 14 petition from "the officers of the Mustering Department," see Joseph Spencer to Joseph Ward, August 23, 1779, note.

John Fell's Diary

Friday September 3d. 79.

Coml Committee. Congress. This day the Question was finally decided almost unanimously not to Emit any more Bills then will amount to 200 Million of Dollars, And a Committee of 5 were appointed to frame a Circular Letter to the Legislatures of the different States, for the Purpose of raising the Supplys Per Taxes and Loans.¹

PM Marine Committee.

MS (DLC).

¹ For the appointment of this committee, and the circular letter that was sent to the states, see *JCC*, 15:1019–20, 1036; and John Jay to the States, September 14, note 3.

Samuel Holten's Diary

Sepr. 3. [1779]

Friday. Last evening Mr. Langdon a delegate from New Hampshire arrived here.¹ N. B. We have a great quantity of rain.

MS (MDaAr).

¹ Woodbury Langdon began attending Congress this day. *JCC*, 15:1018.

Marine Committee to Seth Harding

Sir September 3. 1779

Agreeable to our Instructions of the 24th ultimo we now send this by Express to Lewis Town to be delivered you by Major Fisher; and you are hereby directed to proceed with the Confederacy to Chester where we expect you will remain but a few days.

We are Sir, Your Hble servts

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

Marine Committee to Okey Hoagland

Sir

September 3d. 1779

By recommendation of the Delegates of the State of New Jersey Congress have appointed you Continental Agent in that State as by their Resolve of the 1st. instant which is enclosed.¹ In that station it will fall to your share, to supply all Continental Cruizers or other Vessels in the Continental service, with Provisions, Stores & necessaries to assist the Captains and Officers in whatever may be needful to advance them monies necessary for their supply, give them advice and in all things take care of the Interests of the United States. If any Prizes are sent into New Jersey by the Continental Cruizers you are to receive them, libel and prosecute them to condemnation—then make public sale of vessels, cargoes and All effects that are condemned (unless ordered otherwise) and for your guidance we send you A Pamphlet containing the Rules and Regulations in these respects. You are duely to transmit to this Committee Inventories of All Prizes and their Cargoes taken by the Continental Vessels of war and sent into your State, and such parts of the Cargoes as we may order to be kept for the Public use, are not to be sold but valued and reserved agreeable to our Orders. You are regularly to transmit to this Committee sales of all Prizes by you disposed of, which Sales are to correspond with the Inventories first taken, and hold the Proceeds ready to be paid agreeable to our Orders. All expences attending the Condemnation, receiving and disposing of Prizes are to be deducted from the Sales before any distribution is made.

The Continental Sloop Argo commanded by Silas Talbot Esqr. has lately sent into Egg Harbour some Prizes which will come under your Direction. It is therefore our desire that you immediately repair to that place, and do what may be needful respecting the said Prizes. You will examine their Papers and determine by the Rules and Regulations of Congress what part of them belongs to the Public. We have had a schedule furnished us of the Cargo of One of those Prizes—She is a Brigantine called the Chance and has on board, a lading of Provisions which is now much wanted for the Public use.² We therefore desire that you will divide her Cargo if convenient, and reserve the Continental half of all the articles which compose the same for Public use, except the Bread and Oyle which may be sold. And if the share of the Captors is sold on reasonable terms, that you will purchase it for the Public (except the above mentioned Articles of Bread & Oyle) and have the whole safely stored and kept for the further Orders of this Committee. You will please to advise us of your proceedings in this business and transmit us a particular Account of the Purchases which you make. We are sir,

Your Hble servants,

¹ Okey Hoagland, lieutenant colonel of the Burlington County militia, had been appointed "agent for prizes for the State of New Jersey" on September 1. *JCC*, 14:1009; and Livingston, *Papers* (Prince), 1:392.

² For additional committee instructions on the brigantine *Chance*, see Marine Committee to Hoagland, September 7 and 18, 1779.

John Fell's Diary

Saturday Sepr 4. [1779]

Commercial Committee. Congress. Did not attend Congress this day, having been employd at the Commercial Committee in examining the Books &c. Last night W. H. Drayton Died.

MS (DLC).

Samuel Holten's Diary

[September 4, 1779]

4. Saturday. This morning about 1 o'Clock departed this life the Honl. W. H. Drayton Esqr. a member of Congress from S. Carolina & his remains was interred this evening & Congress followed as mornerers, with carape round their arms.

MS (MDaAr).

Francis Lewis to Stephen Sayre

4th August [September? 1779]¹

A few days past a sorté was made by Major Lee of the Virginia light Dragoons with 400 Men in the night upon Powles Hook opposite New York, when the whole Garrison consisting of 200 Men were killed or taken 143 are brought prisoners to this City the remainder were killed.

We have lately received the Manifesto of his Catholic Majesty declaratory in favor of France, which has given high spirits to the friends of liberty in these States, & many Tories wish to be thought converts.

I had lately a sight of Rivingtons News-paper printed at New York, wherein was published two letters from you, one addressed to Mr. Isaac Sears, the other to myself,² taken in a Ship from Sweden belonging to this City but carried into New York, in future when you write to me direct your letters to the care of Messrs Sweighausen & Co. at Nantz who are Agents for Congress at that Port, and who will carefully forward them by packet Boats employed for carrying Public dispatches.

I have frequently urged Mr. Fabritius's plan for improving the Loan, but Congress seems at present averse to borrowing money in Europe, upon this principle that for what they borrow there, they mortgage the lands of the United States for redemption, but what they borrow here, is of the Inhabitants, who must contribute to the payment by Taxes levied on themselves.

Congress has been for some time past so pestered with complaints from their Commissioners in France tending to criminate each other that a resolution is past to have only one in France, vizt. Doctor Franklin, who is commissioned Minister Plenepo. to that Court, the rest are recalled.

I have been early a great sufferer by the British depredators having all my effects to the Amount of at least £12000 Sterling plundered by a party under the orders of a Lieut Col. Burch of the Light Dragoons, together with my stock at White Stone & the Buildings there totaly destroyed, Mrs Lewis (after Eight months detention) my son Frank with his wife & child are now with me, my son Morgan is in the service at Albany.

If you can point out any mode either in public or private business wherein I can be of service assure yourself that my earnest endeavors to promote it shall not be wanting and that I am & always shall be, Your sincere friend & Huml Servt,

F. L.

10th July [1780]³

Sir, since the foregoing I have been favoured with your several letters of the 16 March, 25th & 26th May, 30 June, 1st & 2d August, and your last a long letter from Amsterdam, which I have at present mislaid—That letter giving me hopes of seeing you here early in this year, occasioned my not writing to you since, but being disappointed of that pleasure I could not let slip this opportunity by Mr. James Searle a Delegate to Congress for the State of Pennsylvania who I wd. recommend to your notice & who will inform you of everything material relative to our public Affairs.

In November last the state of New York made a new appointment of Delegates to Congress, by which I was superseded & thereupon honoured by Congress to preside at the Admiralty Board, in which department I shall upon your arrival here render you every assistance in my power.

With the pleasing expectation of seeing you soon in America I am, Dear Sir, Yours Affectionately,

F. L.

P. S. This you'l receive by the Honble. Henry Laurens late president of Congress, who is Commissioned to Holland upon public business with whom I would recommend your cultivating an acquaintance.⁴ I am, ut Supra.

RC (PPRF). A continuation of Lewis to Sayre, August 10, 1779.

¹ Lewis clearly misdated this postscript, but the date can only be conjectured. He probably absentmindedly wrote "August" rather than September.

² James Rivington had printed captured letters from Sayre to Isaac Sears of August 25 and to Lewis of September 29, 1778, in the June 26, 1779, issue of his New York *Royal Gazette*.

³ Lewis obviously added this postscript on July 10, 1780, as his reference to "November last" below is to an event of November 1779.

⁴ Sayre probably never received this letter, because Laurens, who left Philadelphia on August 13, 1780, was captured by the British on the way to Europe and his papers were confiscated.

Gouverneur Morris to the Public

[September 4? 1779]

Perusing the General Advertizer of Saturday August the 14th, I¹ observe the author of a piece in it, signed a Citizen of Philadelphia, speaking of the crown's unappropriated lands, says "the brave citizens of *these* States were led to believe, that if they risked their lives and gave their present services, nothing more was ever to be required of them" meaning, I suppose, as he says afterwards, that, "these lands and the King's quit rents, would render unnecessary any tax which might be laid, and prove a sinking fund of itself, sufficient to wipe off every public debt."² Without making any strictures on the injustice of *some* of the States appropriating to themselves *all* these lands, contrary to the spirit of the confederation; to the prejudice of the others, who have equally fought and bled for them; on the danger that will hereafter arise from the great superiority they will derive from the settlement of such immense tracts of territory; the evils that will accrue from opening a Land-Office at this time,—or without censuring those servants of the public who signed away the unalienable rights of their constituents, without reflection or reserve. I will give the inhabitants of the Thirteen United States of America, a calculation of the number of acres, and the value of the Crown Lands which Virginia alone claims, westward of the Alleghany mountains; for the sale of a part of which, an office is to be opened by that State, in October next, at Williamsburg. From this calculation they will be able to judge, whether or not the author was mistaken, when he says, "These lands, and the King's quit rents would render unnecessary any tax," &c.—or whether it is not an object to them of consequence sufficient to give instructions to their Delegates in Congress, to insist on the King's unappropriated Lands being sold or reserved for the benefit of the States at large? The lands Virginia claims upon the south-east side of the Ohio river, (for the sale of the greater part of which they propose to open an office next October) is contained within the following boundaries, to wit: Beginning at the West end of the Southern boundary line of the State of Pennsylvania, thence along the Western boundary line of the said State, to where it intersects the 40th degree of North latitude, thence along the said 40th degree to the river Ohio, thence down the said river Ohio to

where it empties itself into the river Mississippi, thence down the said river Mississippi to where the Northern boundary line of North-Carolina strikes the said river, and extends Eastward from said rivers as far as the lands were purchased from the Indians, before the treaty of Fort Stanwix, and contains 40 millions of acres.

Now 40 millions of acres at £40 per hundred Virginia money (the price set on the lands by that Assembly) amounts to 16,000,000 pounds, or 53,333,333 $\frac{1}{3}$ dollars. Besides which, *the new county of Illinois*, bounded by the rivers Ohio and Mississippi, and by a West line from that part of the river Ohio, where the 40th degree of North latitude crosses it, until it strikes the said river Mississippi,—contains upon a moderate computation 72 millions of acres, which, at 40 pounds per hundred, amounts to 28,800,000 pounds Virginia currency, or 96,000,000 dollars, so that the lands they claim and hold up for sale, without running a *North West course*, (as some gentlemen of that State say they have a right to do) as soon as they get beyond the West bounds of Pennsylvania, at least equals the enormous sum of forty-four millions of pounds, Virginia money, or one hundred and forty-nine millions three hundred and thirty-three thousand three hundred and thirty-three and one third dollars. What, my countrymen and fellow-citizens, have twelve of the United States done, that they should be excluded an equal participation of the lands in that immense Western country? and what extraordinary effort has the thirteenth (or Virginia) State made, that she should at once grasp and rapaciously seize on one hundred and twelve millions of acres to the annihilation of her national debt, and the creating an enormous fund for purposes yet unknown? Whilst all the other States of America, who have bled at every pore, and their very uttermost penny taxed for the exigencies of the general good, are deprived of their unquestionable and unalienable right. Look well into it! It does not require much consideration. But if it is urged in favor of Virginia, that *her* charter gives these lands to her, do not be amused by the machinations of interested men. I deny that they have such a charter, and I contend against their futile *pre-emption*. At present, however, it's enough that I state the enormity of *their* claim, and *your* essential injury, to rouse you to an enquiry, and manfully vindicate your rights and property. An AMERICAN

MS not found; reprinted from the *Pennsylvania Packet, or the General Advertiser*, September 4, 1779.

¹ Almost certainly Gouverneur Morris, who wrote several letters for the *Pennsylvania Packet* in 1778 and 1779 over the pseudonym "An American." See these *Letters*, 10:155–61, 327–29, 667–74, 11:92, 12:114–20, 146–52, 372–75.

² Morris was here seizing an opportunity presented by "A Citizen of Philadelphia," writing in the August 14 issue of the *Pennsylvania Packet*, to oppose Virginia's claims to millions of acres of western land ("the Crown's unappropriated lands"), which she was preparing to open to sale on October 1 under terms of a new land office act. Although Morris clearly believed that Virginia's action was "contrary to the spirit of the confederation," and might be opposed on many grounds, he chose to emphasize fiscal

aspects of the issue at this time. "A Citizen" had focused primarily upon the revenue potential of the vast tracts claimed by Virginia, arguing that "There is no necessity for an individual of the States of America, ultimately to pay one shilling of a tax for the expenses of the war," and that in the meantime loans could be resorted to, since Congress could "borrow at this moment more than forty million of livres, on the credit of the unlocated land." "It is not the citizen of these States," the essayist went on to explain in a beguiling argument, "but the emigrant from Europe that will pay the expences of the war. It is sufficient for us that we have fought: Let those who shall come from foreign climes to enjoy the blessings of that freedom for which we have contended, discharge the debt which we have incurred not more on our own than on their account."

Furthermore, "Citizen" contended, the American claim to these lands would ultimately rest upon the common sacrifice of all the states during the war, and in this regard there was little difference between the states' claims to western lands and to the northern fisheries. "Is it reasonable," he asked rhetorically, "that Maryland and the other States shall contend for the fisheries, in behalf of the more immediate interest of Massachusetts-Bay and other States, and will it not be reasonable that Massachusetts-Bay and other States should contend for an equal distribution of the unappropriated lands in behalf of Maryland, Delaware and Jersey, who, by an article of the confederation, are deprived of any share of these lands, for which they have drawn their swords as well as others, and which are the joint possessions of the whole."

In calling public attention to Virginia's "unlocated" western lands and her threat to open them to sale in October, Morris was anticipating the reopening of the issue to debate in Congress less than two weeks later when the proprietors of the Indiana and Vandalia companies submitted a memorial to Congress to forestall Virginia's action, for which see John Fell's *Diary*, September 14, 1779, note. See also Samuel Huntington to the States, October 30, 1779.

John Dickinson's Draft Reply to Gérard

Sir, [September 5? 1779]¹

We receive with a very sincere Concern the Information You have given us, that the bad State of your Health obliges You to leave this Continent, tho at the same Time We are sensible of his most Christian Majesty's friendly Care in sending a new Minister plenipotentiary, and are perswaded, his royal wisdom has found in the person of Monsieur the Chevalier de la Luzerne the Qualities proper for the Station to which he is appointed.

Unfeigned as is our Regret in thus parting with You, Yet We are pleased to think, what favorable opportunities your Return to France will afford, and how well disposed You will be to improve them, of evincing to his Majesty the Reality of those Sentiments, that may justly be termed the animating principles of the United States.

By these Representations the King will be assured, that, the Citizens of these States observe with a most lively Resentment the repeated Instances of his Amity towards them; that, they regard the Alliance as an inestimable Connection, endeared to them by the purity of the Motives on which it was founded, the Advantages it has already produced, and the Blessings it promises in future by promoting the mutual prosperity of the two Nations; that, their Resolution

of securing its essential Objects, Liberty & Independance, is unalterable; that, they are determined by all the Exertions in their power to advance the Common Cause, and to demonstrate, that while they are attentive to their own Interests, they ardently desire to approve themselves not only faithful but affectionate Allies.

Your Residence in America for more than thirteen Months, has enabled You to form a competent Judgement of the Difficulties We have had to encounter during that period; and, We are convinced, your Candor will render You an unexceptionable Witness, how far by these our Efforts have been prevented from corresponding with our Inclinations.

Sir, We should be very deficient in the Respect due to distinguished Merit, if We did not embrace this opportunity of testifying, the exceedingly high Esteem, which You have obtained throughout this Country by your public & private Conduct. You have happily combined a vigilant Devotion for the Dignity & Interests of our most excellent & illustrious Ally, with a zealous Attachment to those of these States. Your Prudence, Integrity, Ability & Diligence in discharging the eminent Trust reposed in You have deserved our entire Confidence, & now solicit from the strongest Declaration of our perfect Satisfaction in your Behaviour.

That the Divine Goodness may grant you the Approbation of your Sovereign, a favorable Voyage, the Restoration of your Health & all Happiness, is among the warmest Wishes of every Member of this Body.

MS (PHi: Logan-Dickinson Collection). In the hand of Dickinson and endorsed by Henry Laurens: "Answer to Mr. Gerard." Dickinson's rough draft of this address, heavily revised and interlined, is also preserved in the Logan-Dickinson Collection. The text printed here is essentially a clean copy prepared for Laurens' perusal and contains few revisions from the rough draft.

¹ On September 3, a copy of the speech by which the French minister "means to take leave of Congress" was referred to a committee consisting of Dickinson, Henry Laurens, and William Paca with instructions to "prepare an answer." On the fifth Dickinson sent this draft reply to Laurens with the following note: "Sunday Morning. Mr. Dickinson presents his Compliments to Mr. Laurens, & sends him the Copy of the Minister's Speech, with a rough Draft of an Answer, which he desires Mr. Laurens will please to alter or correct in such Manner as will be most agreeable to his sentiments." Since the text bears only a brief endorsement in Laurens' hand, he apparently proposed no significant changes. The committee's report was read in Congress on September 6 and was debated and approved the following day. In a private audience with Congress on September 17, Gérard read his speech and John Jay read Congress' reply, which varies only slightly from this Dickinson draft. See *JCC*, 15:1018, 1032, 1035, 1072-74, 1085.

John Fell's Diary

[September 6–7, 1779]

Monday Sepr. 6th. Coml Committee. Congress. Sundry Letters, Memorials & Petitions. PM Marine Committee.

Tuesday Sepr 7th. Coml Committee. Congress. A number of Letters, One from the Duke De Virgens advising of his suspicions, of making Peace without his Court. Refferd to a Committee of three vizt.¹

MS (DLC).

¹ For the letter from the comte de Vergennes "advising of his suspicions" submitted to Congress this day, see John Dickinson to Caesar Rodney, September 8; and John Jay to Conrad Alexandre Gérard, September 25, 1779. Fell failed to enter the names of the three committee members—William Churchill Houston, Samuel Huntington, and John Mathews. *JCC*, 15:1034.

John Jay to Thomas Jefferson

Sir, Philadelphia 6th Sepr. 1779.

You will receive herewith enclosed a copy of an Act of Congress of the 4th Inst, giving Lieut. Colonel Simms leave of Absence from his Regiment until the 20th Novr. next, together with copies of two letters on that subject, one from General Washington of the 19th Ult. the other from Lieut. Coll. Simms of the 2nd Inst. It is the wish of Congress that Coll. Simms may be enabled to join his Regiment as speedily as possible & that such measures may be taken relative to the business which calls him to Virginia as may render applications for like Indulgences from other officers under similar circumstances unnecessary.¹

I have the honor to be, With great Respect and Esteem, Your Excellencys Most Obedient Servant, John Jay. Presid

RC (Vi: Continental Congress Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ Congress had referred Lt. Col. Charles Simms' request for leave to General Washington on August 7, and in an August 19 response to Congress, Washington had explained his opposition to Simms' request. But notwithstanding the commander in chief's opposition, Simms renewed his appeal on September 2, and on the fourth Congress resolved to grant him leave "till the 20th day of November." Despite this victory, Simms subsequently decided he could not rejoin his regiment and on November 18 submitted his resignation from the army. In a letter of December 8, 1779, Pres. Samuel Huntington notified him that Congress had accepted his resignation. See Jay to Washington, August 8; *JCC*, 15:1018, 1025, 1357; PCC, item 14, fol. 244, item 78, 20:459–62, 479–82; and Washington, *Writings* (Fitzpatrick), 16:129–30.

Woodbury Langdon to John Langdon

Dear Brother

Philadelphia Septemr. the 6th. 79

I arrived here in ten days after I left home and had I not been detained on the road by the rain should have compleated my journey in less than nine days, the Horses performed admirably. The next day after my arrival here I took my Seat in Congress where I was very politely received.¹ Genl. Whipple has been very obliging and has taken great care to introduce me to all the principal Characters in this Place. He is a very good and very usefull Member of Congress, he will set out this Week for home and by him shall write you more particularly. Pray write me by every Post if it's only a Line informing what turns up. If there is any London particular Wine come in the Prize Jamaica Ships to Boston I wish you would purchase for me one Pipe of the very best sort & cause it to be sent to my house, if none came in that Fleet you must spare me one of the best of yours which you had in your Warehouse when I came away and let it be sent to my house and put it to me at the lowest Price and inform me per Post what that is—don't forget the Fence at the Farm to be done this fall & divided. Present my best respects to Mrs. Langdon and all Friends. I am most affectionately yr. Brother,

Wdy. Langdon

P. S. I have enclosed Mrs. Langdon two News Papers which you will borrow if you please. Pray send the inclosed letter to Mrs. Langdon as soon as may be—write me if you have heard from your Sloop and the lowest you will spare me one eighth for.

RC (NhHi: Langdon-Elwyn Papers).

¹ Langdon began attending Congress on September 3. *JCC*, 15:1018.

Charles Thomson to a Committee of Congress

Gentlemen,¹

Monday Sept 6 1779.

It gives me the most sensible pain that any thing relating to me should at any time and more especially at the present draw your attention from public concerns. However since even one member has thought it necessary that my public conduct ought to be examined into and tried I find some consolation that, after a service of five years, two of them under the eye of my present accuser who it seems kept a strict watch over me and as he has informed the house minuted down my failings, he has nothing more criminal to lay to my charge than what is before you. Of five presidents under whom, during that period, I have had the honor to serve Congress, I flatter myself I enjoyed the confidence, esteem & friendship of four; and I deem it unfortunate that I cannot boast the same of the one who is

the present complainant, especially when I recollect that no gentleman ever came to Congress, in whose favour I was more prejudiced & whose friendship I more sincerely desired to cultivate. At his first arrival and during the time Congress continued at Philadelphia in the year 1777 I think I gave him full proof of this by every mark of attention in my power not only as a delegate but as a man I wished to convince of my regard. When by the approach of the enemy Congress were forced to quit Philadelphia and remove to York I carried with me the same disposition; And when he was elected to the chair I called upon him several times to pay my respects; but the alteration I perceived in his conduct towards me and the manner in which he received my visits soon convinced me that they were not welcome and that I must for the future decline them or expose myself to insult. To what cause this could be imputed I was at a loss to guess. To ascribe it to the effects of his new dignity would have been to disparage his understanding. I was sometimes induced to think that it might have been owing to his having, soon after his election failed to make an impression on me by his attempts to vilify & lessen in my opinion the character of the late honble Mr Lynch, of whose understanding, virtue and patriotism I entertained the highest opinion & for whom I had the most sincere affection and friendship; or that he found himself not more successful in his endeavours to persuade Me that Moses the man of God and deliverer of Israel was an imposter and that he deceived the Israelites at Mount Sinai by having had a knowledge of the use of gunpowder.² But whatever the cause might be, I confess freely that I was of too proud a spirit to brook indignities and that I scorned to court any man however high in office, by fawning, cringing or servility. I therefore declined any farther attendance & visits of ceremony. This I presume gave mortal offence.

Soon after, when by a severe attack of the *cholera morbus*; I was prevented from attending Congress, he seized the opportunity, and at the afternoon meeting pronounced a furious invective against me, endeavouring to persuade Congress that by some act which he was pleased to construe into disrespectful behaviour to him I meant to insult the dignity of that body of which he was president. Of this I was informed the same evening by some members, who did me the honor to call and visit me in my chamber. As I was conscious I had given no just cause of offence and could not then bring myself to think that this proceeded from a malicious intention to injure me, I imagined there must have been some misunderstanding; And therefore as soon as I recovered strength sufficient to walk, I went to Congress and waited impatiently the whole morning expecting he would have repeated his charges & called upon me for an explanation of my conduct. As he did not, I took an opportunity after the adjournment at night to mention my surprize at what I had been informed of and desired him to let me know in what I had so highly

offended as to oblige him to complain of me to Congress. He denied his having made any complaint and asked, who informed me. I told him, Some members of Congress. He said, it is a damned lie. They are damned liars that informd. The expression struck me dumb with surprize. He left the room. Turning around I happened to see one of the gentlemen who gave me the information. I repeated to him what had passed. We walked out together. The night was dark; As we passed the end of the house conversing on the subject, he had stopped and hearing our conversation, though we did not see him, he repeated aloud, It is a damned lie. I cannot say which was greatest, my astonishment or resentment. However we passed on without making reply, and I determined before I took any farther steps in the matter to consult with my friends. But in a short time after my resentment was lost in grief and amazement, when, in the midst of the public distress, I saw him at the afternoon sessions so far unmindful of his station and dignity as to rise and debate questions as a delegate, then sit down and as president hear himself replied to, and at one of those debates or altercations so far forget himself as to answer an honble member from North Carolina³ by singing aloud, when in the chair "Poor little Penny, poor little penny; sing tantara rara" And at another time when he was reading a report brought in by an honble member from the state of Massachusetts bay which was under debate, to stop in the middle of a sentence and exclaim "Solomon gundy! Did you ever see such a solomon gundy!" which raised such indignation that the honble. member left the room and Congress was adjourned. Upon seeing this conduct, I took no farther notice of what had passed respecting myself determining however to be upon my guard and to give as little cause of offence as possible. This I found the more necessary as he continued by a thousand undescribable ways to teize, irritate and provoke me.⁴

During that winter I enjoyed but a very indifferent state of health & had very little assistance in the office, while at the same time by the critical state of public affairs and occurrences which happened, the business of the office was accumulated to a very great degree and the sitting twice a day allowed me less time to dispatch it. This gave him many favourable opportunities which he studiously embraced to teize me with messages and sending for papers which he must have been convinced it was not in my power to have ready and which he must have known would have been sent to him as soon as finished; These messages were generally brought by his coachman James, and were commonly sent to me when I was at dinner or Supper and sometimes when I was going to bed. For it seemed to me that he carefully attended to my hours of refreshment and rest and wished me to enjoy as little of either as possible. This however I bore patiently without murmur or complaint and, I think, without shewing any marks of discontent or uneasiness; though for months together scarce a day passed without visits from his coachman James at improper

times and for the most part with messages and on business, which with all due deference to his judgment I thought at the time might as well have been dispensed with. However I took not the least notice of this, nor did I like him keep minutes of transactions as they occurred. I wished to forget them, that I might preserve some respect for a man so highly honoured by his country. And this would have been the case had I not by the present occasion been forced to this painful recollection, which I thought necessary in order to convince you that his present conduct is only the result of a premeditated and long concerted plan to lessen me in the opinion of Congress. I now proceed to the Charges.

1.⁵ With regard to the affair of M Laneuville, I remember the circumstances very particularly. A comee. had brought in a report to which many objections were made in Congress. The Debates were warm and some members interested themselves so far therein as to call for the yeas and nays which was not usual except on important questions. Congress differed in many respects from their committee, which occasioned many amendments and interlineations and prolonged the session till late in the afternoon. As soon as I got home, which was some time after Congress rose as I had to stay & put up the public papers, I sat down to dinner & having finished a hasty repast I had just begun to enter on the journal the proceedings and resolutions of Congress when James his coachman "the young man who" as he informs you acted as his secretary called with the president's compliments and desire that I would send him the resolutions that were passed respecting the french gentleman. I desired him to give my compliments to the president and inform him that they were not yet ready, that as soon as they were I would send him an attested copy. With this message he went and returned immediately with Mr. President's compliments and desire that I would send him the journal as he only wanted to see the resolutions. I desired him to return my compliments to the president and inform him that I had not yet quite finished the entry. Presently he returns with a message, which he delivered not in the most graceful manner in words to this effect "The president desires you will send him the report he wants to see it as it is" adding "Mr Duer and the french gentleman are there waiting and want to see it."

The reason of this demand I could not comprehend, and the peremptory manner in which it was delivered was far from being pleasing.

I replied give my compliments to the president and inform him that I cannot send the report, it is so erased and interlined with amendments, that it is not fit to be shewn to the gentleman. Presently he came back a fourth time & knocked at the door. I went into the entry where he delivered the following message "Mr president gives his compliments says he's much obliged and must submit" I said it is very well & made him a bow. If upon returning into the

room I repeated the words "He must submit!" as it is not improbable I did, it was to express my astonishment at his conduct and the strangeness of the message. Mr Duer immediately after called on me and told me the president was much incensed. I repeated to him the whole transaction & shewed him the report and he expressed himself as perfectly satisfied with the impropriety of sending it. That Mr Custer might have delivered as from me the answers set down in the paper of charges I will not dispute: but surely Mr Laurens must have known that the word "scrabbled" bears no marks of my language.

2.⁶ As to what relates to the commission of the honble. John Adams, I cannot with all my recollection remember a single circumstance. But the answers set down are so strange and to me so improbable—especially that one who, for these five years passed or at least from the 10 May 1775 so wholly devoted himself to the business of Congress as to deny himself all relaxation and amusements scarcely allowing time for refreshment and sleep, who in that time has written so many volumes & reams of paper and who by that close attention & devotion to the service of Congress has impaired his constitution, sacrificed his health & endangered his life, should without good reason refuse to take the trouble of only writing his name—this I say is so improbable that I cannot admit the charge until better supported.⁷

3.⁸ The next charge "that I returned for answer—that I had not the key of the office—that it was with one of the clerks & that I did not know where they lodged," though I do not recollect it, I admit in its fullest extent. Because for some time after Congress returned to Philadelphia the office was kept in a room of the honble Doctr Shippen's house. Mr B. P. Smith and Mr Eddison⁹ attended the office & in the evening one or the other of them locked up the room & kept the key & for some days I did not know where they lodged. The mentioning these circumstances, which were true, to Mr Young when frequently sent, as is charged, for attested copies of resolves, proves that I was not accustomed to give short or *abrupt* answers & that I was willing to stand excused to the president for not instantly complying with his request as I was wont to do, when the office was in the house where I lived. That my answers were given "abruptly and unmannerly" I must take leave with all deference to Mr. Young's opinion, to deny. I think I might safely rest it with Mr Young to testify whether on all occasions as well when he was a clerk in the secretary's office as afterwards when secretary to the president of Congress, I did not treat him with politeness and respect. I cannot say that I shewed the same mark of personal attention and respect to Mr. Custer: I treated him with the civility due to Mr Laurens' servant. I did not ask him to sit down & enter into conversation with him, but dispatched the business on which he came & sent him back with it or with an answer to the message he brought as speedily as possible, which I thought was shewing the greater respect to his master. And

even after I understood that he was employed and “acted as secretary” as well as coachman, steward, butler and valet to the president and entrusted with the most secret dispatches of Congress I could not readily adopt the principles of despotic monarchies where the favour of the prince ensures honor and his pleasure levels all distinctions.

4.¹⁰ As to the affair of the fishery bill, the circumstances as well as I can remember are as follows. That morning being afflicted with the headach I went into the office before Congress met and was sitting at a table with my head reclined on my hand, when Mr. Laurens came in and asked for the bill. Mr Bond¹¹ gave him a bundle of acts & bills. He took out the one he wanted and having written something on a piece of paper delivered it across the desk to Mr Bond, then took up the bill which he had taken out of the bundle and was about to withdraw. As there had been just before a charge in the public news papers that some papers which had been deposited in the office were missing, and an insinuation that they were removed or secreted for sinister purposes, I had given strict charge to the young gentlemen the clerks in the office to observe, in delivering out papers, the orders of Congress, which enjoined that no paper be delivered without leave first obtained from Congress & then giving a receipt for the same. Lest the present might serve as a precedent for the young gentlemen to dispense with the strict line of rule, I rose up and went to the desk and finding as I suspected that the paper which the honble Member had delivered to Mr Bond, was a receipt, I told Mr Laurens that was not sufficient—that previous to a member’s taking a paper out of the office the order of Congress was that leave be obtained of the house & then a receipt given. When he doubted there being such a rule or order, I called for the journal & pointed it out to him. He then endeavoured to distinguish between the paper he had taken and an Office paper & mentioned that there was a duplicate in the office. But as I could not see the distinction and was not satisfied that there being duplicates would warrant me in dispensing with the rule and delivering out one of them, I told him I could not consent to his taking away the paper. He then said he would speak to the president, and afterwards that he would take the consequences and walked towards the door. Then turning about he asked if he might not have a copy. I answered in the affirmative adding that every member had a right to a copy of any paper he pleased to demand unless there was a special order to the contrary. After this he sat down, made, as I suppose, an extract called for his receipt which Mr Bond delivered to him and then left the paper and withdrew. I had returned to the table & sat down being in great pain. When he got as far as the door he returned towards me and with a formal bow thanked me for my politeness with a view as I supposed to provoke a reply. However I returned the bow and kept silence. These are the circumstances as near as I can recollect. Mr. Bond and Mr. Eddison were both in the office at the time and may if

necessary be examined. What epithet the committee will be pleased to affix to this conduct I must submit to their judgment. As to the information that "since that time I have suffered papers to be taken even out of the secret depository and carried away without the permission of Congress" I have to say that I never refused any member the free liberty of taking, without permission asked of Congress or receipt given, any paper he desired down into the Congress room or into the chamber adjoining and there reading or making extracts as he pleased until the adjournment, and I will also confess that at the adjournment several members have through inadvertence or without recollecting the rule carried papers home with them, at which I have expressed uneasiness & dissatisfaction, but that I have knowingly & designedly violated the rule will rest with him to prove.

5.¹² This paragraph hinting what he could do, I apprehend is thrown in to shew his skill in oratory and his art in wounding his antagonist by affecting to conceal or pass over charges, which he is conscious he cannot support. He has informed Congress that he kept minutes of my conduct, and by going back as far as 1778 which was the time when the transaction respecting Mr Laneuville happened he has sufficiently evinced that if he had any instances of my gross partiality and Arbitrary conduct, he would not fail to produce them.

As¹³ to the late affair which constitutes the last charge, I am free to declare that I had not the most distant thought or intention of giving offence to him or any other Member. I had frequently heard Mr Lovell who had a principal direction and management in printing the weekly journal and ordering the distribution, for as to myself I never took any concern in the matter as I did not consider it any part of my business. I say I had frequently heard him mention that there was only one copy for each of the members printed upon a fine paper and that if any member wanted to send copies to their state they might be supplied with an [other if] wanted out of those printed on common paper. I had heard him likewise complain that by some members taking more than one, others were deprived and by that means their setts were broken and if they should incline at the end of the year to have them bound into a volume, they must supply the deficiency with those on common paper which would disfigure the volume. For this reason when I took up the bundle to distribute among the members, Mr Lovell being absent, I determined to oblige by delivering to each member one copy. And as there were several members, and among the rest Mr Laurens, at the table when I opened the bundle I thought I paid him particular respect by delivering him one first. When he asked for another I desired him to wait until I had delivered one to each member. When he repeated his demand he did it with a tone and in a manner that I confess gave me offence and at the instant determined me to pursue the resolution I had at first taken; when he persisted and seized the bundle in my left

hand, endeavouring to take it by force, I wrenched it from him: but when he used abusive language & threatened to kick me,¹⁴ I felt my indignation kindled to that degree, and even now the bare recollection of the indignity raises such sensations, that considering the place I am glad I had so far the command of myself as only to put myself in an attitude of defence and say You dare not. I have now lived fifty years and never before received such an insult. Whatever might be conjectured "from the number of members on the floor compared with the number of Journals" the event shewed that there was not more than one for each member attending the house, for he having afterwards got another, I found there was not one left for Mr Mathews who happened to come in [too late?].

Upon the whole, gentlemen, I submit myself to your Judgment and am, with the sincerest respect, Gentlemen, your most obedient & most humble servt,
Chas. Thomson

FC (DLC: Thomson Papers). Written and signed by Thomson. MS (PHi: Laurens Papers). Written and signed by Thomson.

¹ For the appointment of this committee and the charges brought against Thomson by Henry Laurens, to which the secretary here responded point by point, see Henry Laurens to a Committee of Congress, September 1, 1779, note 1.

² From what is known about Laurens' piety and religious views, it appears that Thomson had been taken in by Laurens' sarcasm and humor.

³ John Penn, whose strained relations with Laurens are discussed in these *Letters*, 11:440–41n.3.

⁴ At this point in the FC Thomson inserted an "a" to which he keyed the following comment at the foot of the page. "Note. Should any sensible writer in the next century chance in his researches to find this paper he will be apt, in descanting upon the manners of the present time, to compare them with those of the age of Charlemagne & think there was a necessity of reviving some of the cartularies of that wise prince & especially that which enjoined judges to hold courts in the morning with an empty stomach to prevent the disgrace of being seen drunk even in a court of Justice, and will be rejoiced at having found as he will imagine the true reason why motions for sitting twice a day were so often overruled by Congress."

This note "a," as well as "b" and "c" quoted in footnotes 7 and 14 below, was added by Thomson sometime after he originally composed this document for the committee. When he added these notes cannot be determined, but it was certainly no earlier than November, for in note "b" Thomson quoted a letter from John Adams dated "Braintree Octr. 25, 1779."

⁵ In the margin of the FC Thomson wrote at this point "At york town &c . . . extraordinary behavior," a reference to paragraphs 2–11 of Henry Laurens' charges against him, for which see Laurens to a Committee of Congress, September 1, 1779.

⁶ In the margin of the FC Thomson wrote "When the honble J. Adams . . . to I won't," a reference to paragraph 12 of Henry Laurens' charges against him. *Ibid.*

⁷ At this point in the FC Thomson inserted a "b" to which he keyed the following note at the foot of the page. "The following extract of a letter from the honble. John Adams to the hon[. . .] Lovell will shew what degree of credit ought to be given to Mr Lauren's charge with respect to the Commission. 'Braintree Octr. 25. 1779. I do not know what indecencies you mean in my commission. I have looked it up and have it before me. It is on a large sheet of paper, written very well, all in the handwriting of our much respected secretary, Signed by president Laurens, sealed with his seal and attested by the secretary. It is not upon vellum nor parchment it is true, and the paper is not the best; but I believe as good as any we had at that time. Upon the whole I think it a very decent, respectable and honorable commission. It was treated with

great respect at Versailles & I see no reason to object to it. Pray let me know what the question is about it.' "

⁸ In the margin of the FC Thomson wrote at this point "After Congress returned . . . to ignorant of," a reference to paragraphs 13 and 14 of Laurens' charges against him.

⁹ Belcher P. Smith and Thomas Edison.

¹⁰ In the margin of the FC Thomson wrote at this point "Sometime in May last &c . . . to permission of Congress," a reference to paragraphs 15 and 16 of Laurens' charges against him.

¹¹ George Bond, a clerk in the secretary's office, and later Thomson's deputy secretary.

¹² In the margin of the FC Thomson wrote at this point "I could recite . . . will be so," a reference to the first sentence of paragraph 17 of Laurens' charges against him.

¹³ In the margin of the FC Thomson wrote at this point "The particular complaint . . . &c to the end," referring to the three concluding paragraphs of Laurens' charges against him.

¹⁴ At this point in the FC Thomson inserted a "c" to which he keyed the following note at the foot of the page. "This outrageous language & insolent behaviour may be attributed to his want of education and to his having been bred among negro slaves over whom he had been accustomed to tyrannize & against whom he could vent his ill humours & turbulent passions not only with impunity but to effect. 'Nothing,' says a sensible & ingenious author, 'is so insolent as a man who lives almost always with his inferiors; but when those inferiors are slaves accustomed to serve infants and to fear even their crying for which they must suffer punishment, what can be expected of masters who have never obeyed, profligates, who have never met with chastisement and madmen who load their fellow creatures with chains?' *Histoire philosophique et politique des etablissements des Européens de deux Indes*. T[ome] 4, p 201."

Thomson's quotation is a careful translation of Guillaume Thomas François Raynal, *Histoire philosophique et politique, des établissements & du commerce des européens dans les deux Indes*, 7 vols. in 5 (Amsterdam, 1772-74), 4:201-2.

The survival of this manuscript is noteworthy in view of reports that Thomson eventually destroyed most of his personal papers and refused to write a history of the American Revolution, despite the repeated urgings of friends, out of regard for the reputations of many of his contemporaries. His bitter denunciation of Laurens and the explanation quoted in note 4 above that Congress was reluctant to sit twice daily because delegates were often drunk in the afternoon underscore how deeply this experience rankled within him. The notes containing these remarks are found only in the FC Thomson retained in his personal papers, and do not appear in the MS from the Laurens Papers at PHI or in the text printed in *Potter's American Monthly* and reprinted in Burnett's *Letters*, 4:401-8, which were probably the copies prepared for the committee and for Laurens. For Thomson's sensitivity to the reputations of the founding fathers, which rests heavily upon the authority of Benjamin Rush, see J. Edwin Hendricks, *Charles Thomson and the Making of a New Nation, 1729-1824* (Rutherford, N.J.: Fairleigh Dickinson University Press, 1979), p. 189.

That Laurens was not the only delegate Thomson had difficulty getting along with seems clear from a brief reference by Samuel Holten to an incident a few months later in which Thomson and James Searle of Pennsylvania exchanged blows with their canes, though whether the the affair took place in or out of Congress is not recorded. See Samuel Holten's *Diary*, January 19, 1780.

John Collins to Nathanael Greene

Dear Sir

Philadelphia Sepr. the 7th. 1779

Their is no impropriety in addressing me on any Subject that Concerns yourself, or on any other subject Relating to publick affairs,

and Shall be allways ready to give you, the best information in my power.

The views of Congress Some times air misterious and past finding out, but not designingly unjust. I have that Charity for the greatest part of Congress that they mean to do that which is Right and best for the good of the whole, but their plans dont allways opperrate for the best.

I am fulley persuaded much the grater part of the members of Congress wish to do Strict Justis to the army, but the Confused State of our money makes it Extreme difficult to know what to do.

I am fulley of your opinion that Clamours against publick Abuses & publick measures are mostly from men that have not the good of their Country at hart, but air Activated by views to Rais themselves into importance by Sowing discord and Endeavouring to throw the Publick affairs into discord.

I have not heard any Complaint against you as Quartermaster General, (but many Against the inferiour officers in your department), nither do I think their is any attack, Designed agains you; if I should discover any Such design, you may depend I will give you speedy information. The suspitions I hinted to you last summer I still Concive to be justly grounded, but flater myself that party are looseing ground in Congress fast.

The attack made on me last May I am fully Convinced originated from that quarter, and went from Congress to the State, for I stood much in the way of what they Called the New England¹ intrest, and I make no doubt but Mr. S.A. & Mr. W.E.² will use all their influence to damn me with the People, but they may be Damd. them Selves for what I Care for them or their party. I will Act my part as I think best for the publick good, and Suffer no junto or party to influence me or lead me from what I think best for the good of the whole, it is well known I am not a begot to any party, Religious or Sivil, but have Endeavored to Support the Carrectar of an honest independant man.

I have inclosd you a journal of Congress least by any mistake you have not had one Sent you—you will observe the votes on July the 9th.³ You must be the best judge of your own department and what part to act—but in a friendly maner I would advise, not to be over warm in defence of them that Act under you, but do them Strict justice and leave their defence to them Selves.

Any affair in Congress that may heave up, you may Enquir of me freely, and you may depend I will inform you as far As is Consistant with my duty to the publick—if Any thing Worthy notice in the Camp a line from you would be Agreeable.

I am with Esteem & Siincerity your friend that is Allways Ready to Serve,

John Collins

¹ At this point Collins inserted an asterisk to which he keyed the word "Prisbyterian" at the foot of the page.

² That is, Samuel Adams and William Ellery. For Collins' conflict with some of his colleagues, see also Collins to Greene, October 29, 1779.

³ On July 9 Congress had directed state executives to "make the strictest enquiry into the conduct of every person" employed in the quartermaster and commissary departments. *JCC*, 14:812-13.

Samuel Holten's Diary

[September 7-8, 1779]

7. Tuesday. I wrote to J. Avery Esqr., Mr. Kittell, Moses Preston, & Mrs. Holten. (No. 73).¹ By some intelligence from the Minis[te]r I suppose we may expect two more commissioners from G.B.²

8. Wednesday. I crosed the Delaware over to the Jersey shore; The land appeared to be flat & low; Several membrs. of Congress went with me.

MS (MDaAr).

¹ None of these letters has been found.

² See John Dickinson to Caesar Rodney, September 8, 1779, note.

John Jay to John Adams

Sir

Philadelphia 7th Sepr. 1779

On the 20th August last I had the Pleasure of recieving & communicating to Congress your Favors of the 3d & 4th of that month.¹ Be pleased to accept my Congratulations on your safe Return to your Family & Country. Yours of the 27 Feby and 1st March last came to Hand about ten Days ago.² An Expectation of having Commands from Congress to transmit, induced me to delay writing 'till now.

I have the Honor to be Sir with great Respect & Esteem, Your most obedient & h'ble Servant,

John Jay.

RC (MHi: Adams Papers).

¹ According to the journals, on August 20 Congress read letters from Adams of February 13 and August 3 and 4, 1779. *JCC*, 14:981.

² These letters were read in Congress on September 1. *JCC*, 14:1009. The letters from Adams mentioned in these two notes are in PCC, item 84, 1:37-40, 53-54.

John Jay to Horatio Gates

Sir,

Philadelphia 7th Sepr. 1779.

I have received Your favor of the 21st Ult. by the Stranger mentioned in it. Your Attention to that Gentleman appears to me to have

been highly proper. Congress have ordered him a horse & money for his Journey to South Carolina.¹

You will receive herewith enclosed a copy of an Act of Congress of the 6th Inst, directing Barracks to be erected for quartering the Troops in the State of Rhode-Island at such Place, & of such dimensions as You Sir, or the commanding Officer of the Troops in that State for the time being shall approve of.²

I have the honor to be Sir, Your most Obedt. & Hble Servant,
John Jay, Presidt

RC (NHi: Gates Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ A transcript of Gates' August 21 letter to Jay is in PCC, item 171, fols. 252–53. The general had explained that Maurice August Beniowski, who had recently arrived from L'Orient with La Luzerne, was seeking permission and the means to join Casimir Pulaski, whom he claimed as a half brother, in South Carolina. Since he appeared to be of serious purpose, Gates provided him a horse and \$400 and sent him on to Congress, which on September 4 resolved to provide him a horse and \$1,000 to enable him to join Pulaski, an old comrade in arms but of no relation. *JCC*, 15:1020–21. In December, however, when Beniowski petitioned for a Continental commission, Congress resolved "that the circumstances of the army will not admit of his being employed." See *JCC*, 15:1373, 1407; and PCC, item 78, 3:415–20. For information on Beniowski's relations with Pulaski, see Leszek Szymanski, *Kazimierz Pulaski in America* (New York: A. Poray Book Publishing, 1979), pp. 1–2, 193, 200, 275–76, 289, 304; and Franklin, *Papers* (Willcox), 24: 563–64.

² See Rhode Island Delegates to the Committee of Providence, this date.

Marine Committee to John Beatty

Sir

September 7th 1779

The following paragrap is in A Letter lately received by this Committee from the Commissioners of the Continental Navy Board at Boston.¹ "We are sorry to inform you that the Commissary of Prisoners department is under bad regulations in this Town. The Deputy Commissary Mr. Messereau, seldom here, his Deputy now gone to New York, in the flag General Gates, by order of his principal left his business with we hardly know whom, but a very improper person, that is incapable to make suitable disposition of the Prisoners that are landed out of the prizes to the Number of upwards of 200, we wish more Attention was paid to this necessary business." We desire Sir that you will immediately pay proper Attention to the subject of the foregoing Paragrap, & are your humble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ This August 26 letter from the board at Boston is in the Eastern Navy Board Letterbook, NN.

Marine Committee to the Eastern Navy Board

Gentlemen

September 7th 1779

Since our last of the 24th ultimo we are favoured with yours of the 18th and ¹ of the same Month. It gave us much pleasure to hear that the frigate Trumbull had got out—we hope every endeavour will be used to have her fitted for the Sea as speedily as possible. As to the Cannon wanted for that Ship we leave it to you to procure them on the best terms you can and of the best kind hoping it may be speedily done to prevent any delay of the Ship on that account. We also leave it to Your judgement to procure in the best manner, by importation or otherwise, Powder and Cordage for the use of your Department—Observing that by the Packets which have lately been dispatched from your Port to France we have wrote for considerable quantitys of Cordage, Guns and Ship Chandlerry for the use of our Navy, one half of which will be sent to your Port and the other to this place; but we consider it as being uncertain what time those Supplies may arrive. We should be glad to know the State of the Ship building at Middleton, and we have already wrote you respecting blank Commissions to which we refer. We earnestly desire that all possible dispatch may be used in getting again to Sea the Continental Ships lately returned and we hope that no endeavours on your part will be wanting for that purpose. We are so anxious on that Account that we cannot think of berthing the Ranger before another Cruize is made—afterwards we shall write to you on that subject. If the State of Captain Whipples health is such as will not admit of his going out on the next Cruize we consent to his remaining on shore, and leave it to your discretion to supply his place by giving the command of the Providence for a Cruize to such Officer as you may think proper. We shall write to the Commissary General of Prisoners respecting the conduct of his Deputy at your place.² We are pleased to hear of the arrival of the Hannah & Molly and shall take measures to furnish the Pig Iron which you are in need of. We shall shortly consider Mr. Storeys case and in the mean time We are Gentlemen, Your very Hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ Probably the Eastern Navy Board's letter of August 26, which covered some of the subjects discussed in this letter. Both the board's August 18 and 26 letters are in the Eastern Navy Board Letterbook, NN.

² See the preceding entry.

Marine Committee to Okey Hoagland

Sir

September 7th 1779

We wrote you the 3d instant since which we have reasons for

countermanding the Orders given in that letter respecting the purchase of the Prize Brigantine Chance's Cargo. It is now our desire that the whole of that vessels Cargo may be set up to sale, and no part of it reserved or purchased by you for the public Account except the Vinegar which you are to purchase let the price be what it will and send forward to this place. We are sir, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

Marine Committee to John Langdon

Sir Marine Committee, Philadelphia Sept. 7th 1779

Should any of the Prizes taken by the Continental Ships Providence, Queen of France & Ranger on their late Cruise come under your direction, we desire that you will reserve the Continental Share of the Rum & Sugar on board of them for the Public use, having it Stored and kept for the further Orders of this Committee sending a particular Invoice of the same. We are Sir, Your very Hble Servts,
Wm. Whipple Chairman¹

RC (Capt. J. G. M. Stone, Annapolis, Md., 1973). Written and signed by William Whipple.

¹ The committee also sent the following, similar letter to the Continental agent at Boston, John Bradford, this day.

"We are favoured with yours of the 26th Ultimo covering a Schedule of the Cargoes of the Prizes taken by the Providence, Queen of France, and Ranger, on their late Cruise. We now desire that you will reserve the Continental Share of the Rum and Sugar on board such of those Prizes as may come under your direction, for the Public use having it safely Stored & kept for the further orders of this Committee and transmitting to us a particular Invoice of the same." Paullin, *Marine Committee Letters*, 2:107.

Nathaniel Peabody to Josiah Bartlett

My Dear sir, No.7 Philad. Sept 7h. 1779.

Your kind favour of the 21 ulto¹ inclosing one from Mrs Peabody I have duly recd and am extreamly oblig'd by the Care you have taken in forwarding Letters to & from me—I inclose you Several papers, & extracts by which you will have some information &c.

The Spanish ambassador left the British Court the 18h of June last and went immediately to France. The British Court have Sent out two Emissaries to Seduce these States from their Alliance with France.² I Should forward a long Copy of Mr. J. A—ms report upon important matters of Public Concernment,³ made officially, Since his return—but you will Soon have it by Genl Whipple who Sets off for home in Consequence of Mr L—d—ns⁴ arival here the 3d

instant—A Circumstance, to me not a little Extraordinary. Genl Whipple had been Strongly urged, by order of the Supreme authority of the State to Tarry here as long as he Possibly Could—upon which Ocasion I had the honr. to add my most Ardent wishes for his Compliance—And notwithstanding his long absence from his family, & Domestic affairs, he willing to Serve his distressed Country and Gratify the Good People of the State—Consented to Tarry till one month after he Should advise the State of his design to leave Congress— which intention was made Known to the Committee who approved thereof, and Gave the Necessary orders to Mr. L—don of all which Mr. Whipple was fully advised.⁵

If this New maneuver is by order of authority, I leave you to Judge what impressions it must Necessarily make upon the mind of a Gentleman of Mr. Whipples Sensibility—but if it is in violation of Such orders You will Judge of the Designs of the Violator—And of the Measures necessary to be taken upon the insult. Congress have resolved that the Emissions of Bills of Credit of the United [States] Shall at no time Exceed Two hundred million of Dollars, and that they will Stop as far Short of that Sum as the Exertions of the Several States shall enable them. A particular account of the Several Emissions, is making out, determing the Sum Now in Circulation—which I Shall Transmit you. I have the Honor to be with the highest Esteem, Your most obedt. Hume Servt. Nathl Peabody

N.B. Youl please to keep the Contents of this Letter entirely from the Connection of Mr. W. L——d—n &c. I know I am Safe.

RC (NhD: Bartlett Papers).

¹ Bartlett's August 21 letter to Peabody has not been found, but a letter of the same date to William Whipple is in Bartlett, *Papers* (Mevers), pp. 268–69.

² See John Dickinson to Caesar Rodney, September 8, 1779.

³ That is John Adams' August 4, 1779 letter to Congress, which Peabody later transmitted in a letter to Bartlett of October 18, 1779.

⁴ That is, Woodbury Langdon.

⁵ See William Whipple to Bartlett, August 10, 1779, note 1.

Rhode Island Delegates to William Greene

Sir,

Philadelphia Sepr. 7th. 1779.

The Delegates for the State of New-Jersey by the Direction of Their State, have presented the Delegates of each of the other States with a printed Copy of the Acts of the Legislature of the State of New Jersey; begining the 27th Day of October 1778; intending to continue the same from Session to Session; and requesting a like Communication from Us.¹ Such a Communication may be useful. Your Excellency will be pleased to lay this before the Genl. Assembly and to request that the Secretary furnish Their Delegates with a

Copy Extra—of the Acts of the Genl. Assembly, to the End we may be enabled to make the Communication requested, to the Delegates of New Jersey. This may perhaps be introductory of one more general, and which must prove very beneficial.

We inclose your Excellency two of the Weekly Journals, in Course to those heretofore transmitted down to the 7th of August last, and the last Weeks News Papers. We congratulate your Excellency upon the brave Exploit at Paulus Hook—upon the good News from Spain—The further Success of Genl Sullivan against the Indians—and we trust, upon the Reduction of Fort Detroit by the celebrated Col. Clarke, whose Exploits at the Illonois, &c & in the Capture of Govr. Hamilton were not long since announced to the Publick. The Capture of ten of the Jamaica Fleet is a most capital Stroke. Several have been brought into the Southern Ports. Col. Talbots Exploits and good Fortune are highly pleasing—and he continues to gain with hasty Steps much Honor to Himself and the State. Upon the Application of the Town of Providence, We have procured a Resolution of Congress for erecting Barracks at the Expence of the United States, for quartering the Troops in the State of Rhode Island in such Place, as Genl. Gates shall approve of.² As this must greatly releive the Distresses of many of Our Constituents we flatter Ourselves it will not be an unacceptable Peice of Service for that Confidence, & with full Assurance of our unremitted Zeal to serve the State We have the Honor to represent we are Your Excellencys most obedient & very humble Servts.

Hy Marchant

John Collins

RC (RHi: Marchant Papers). Written by Marchant and signed by Marchant and Collins.

¹ See also Samuel Holten to the Massachusetts Council, August 24, 1779, note 1.

² See the following entry.

Rhode Island Delegates to the Committee of Providence

Gentlemen,

Philadelphia Sept. 7th. 1779

Your Letter of the 16th of July was recd. on the 23d of the same Month, and as soon as possible laid before Congress together with the Vote of the Town of Providence. They were committed to the Board of War, and upon a Report of the Board of War the inclosed Resolution of Congress was made, which We conceive will entirely answer the Expectations of the Town of Providence and much ease the Good Inhabitants of the State who have long sustained an unequal Burthen of the most disagreeable Nature.¹ The Application to Us of so respectable a Number of Our Constituents could not fail of demanding our immediate Attention, and most strenuous Endeav-

ours for their Relief—at the same Time we conceived it highly proper to obtain a Resolution upon so broad a Basis, that Barracks might be erected at the Discretion of Genl. Gates at other Places within the State than the Town of Providence or its immediate Vicinity, that so some other Parts of the State might be releived from similar Inconveniences with what the Town of Providence have so peculiarly sustained. An Answer to your Letter was omitted earlier, as We were in daily Expectations of a completion of the Business. We shall at all Times religiously attend to the Wishes of Our Constituents, and shall be happy to have in any Instance obtained Relief for, and answered the Expectations of the Good People of the Town of Providence. You will be pleased Gentlemen to lay this Letter before the Town at their next Meeting and assure them that we shall at all Times study to deserve their Approbation—and that we are with great Truth their, very humble Servts. Hy Marchant

John Collins

RC (RPJCB: Brown Papers). Written by Marchant and signed by Marchant and Collins. Addressed: "The Honorable Major Genl. James M. Varnum, Ephraim Bowen and Nicholas Cooke Esqrs. at Providence, State of Rhode Island &c."

¹ The committee's letter had not been read in Congress until August 25; and on September 6 Congress directed that barracks be erected in Providence at Continental expense. See *JCC*, 14:993, 15:1031.

Meriwether Smith to the Virginia Board of Trade

Gentlemen,

Philadelphia Sep. 7th. 1779.

The Delegates of Virginia recd. your favor of 7th ulto. requesting their Assistance to procure for John Moss esqr a Sum of continental Dollars, for which the Board of Trade in Virginia would be responsible. In Consequence of which they obtained a Warrant on the Treasury for four hundred thousand Dollars in favor of John Moss esqr, for which the State of Virginia is to be accountable.¹ I expect Mr. Moss has acquainted you that he hath received the Money.

With Respect to the Brandy you mentioned in your Letter, we should have given him the Assistance you requested, but he had settled the Dispute previous to your Application.

I am, in Behalf & per order of the Delegates here, yr. most obedt. Sevt.

Meriwether Smith

RC (CSmH: Brock Collection).

¹ In their August 24 representation to Congress the Virginia delegates had requested \$400,000 "for the purpose of purchasing supplies of Cloathing & other Necessaries for the immediate Use of the Troops of that State in the Continental Army." See *JCC*, 14:991; and *PCC*, item 71, 1:269–70.

William Whipple to Josiah Bartlett

My Dear Sir

Philadelphia 7th Sepr 1779

Your favor of the 21st Ult^o¹ is now before me. As I expect to follow this in a few days, I think it unnecessary to be very particular now. The arrival of Mr. Langdon was so unexpected that I was not in such readiness to take leave of this place as if I had received some previous notice of his coming and I imagine, from your Letters, his departure from N. Hampshire was equally unexpected by You. However I am happy in having my expectations anticipated and am preparing to set out as soon as possible & hope shall be able to take my leave the latter end of this or the beginning of next week.²

I congratulate you on the late happy event which has taken place between England & Spain. This of it self will compensate for a half a days such disappointment as that of the Ponobscot *affair*. But the infatuated Wreches are going to try another incendiary Manuvre. Other Commissioners its probable, will be sent, and they will undoubtedly offer farther terms then the last, but no doubt a breach of faith on our part must be one of these propositions. This will no doubt will certainly be rejected with greater contempt then any of their former, offers if Possible, this Conduct is a most striking evidence of their folly & despair.

Adieu my Friend & be happy,

W. Whipple

RC (WHi: Signers of Declaration Collection).

¹ See Bartlett, *Papers* (Mevers), pp. 268–69.² Illness delayed Whipple's departure until September 25. See Nathaniel Peabody to Bartlett, September 21 and October 5, 1779.

Committee on Appeals Decree

September 8th. 1779

Daniel Murphy qui tam &c Lib[ellan]t &
App[ellan]t vs. The Sloop Hawke
her Cargo &c Henry Fisher and William
Peery Claim[ant]s & App[ell]ees

} Appeal from the
Delaware State.¹

We the Commissioners appointed by Congress to hear, try and determine all Appeals from the several Courts of Admiralty of the United States of America to Congress having heard and fully considered as well all and singular the several Matters and Things set forth and contained in the Record or Minute of the proceedings of the Court of Admiralty of the Delaware State in the above Cause as the Arguments of the Advocates of the respective parties to the above Appeal do thereupon adjudge and decree that the Appeal of the abovenamed Daniel Murphy and others entered in this Court be

and it is hereby dismissed with Costs And that the Judgment or Sentence of the said Court of Admiralty pronounced and published in the said Cause be and it is hereby in all its parts confirmed and established And We further do adjudge and Decree that the party Appellant pay unto the party Appellees in the above Cause four hundred and thirty Dollars for their Costs and Charges by them expended in defending the said Appeal in this Court &c.²

Tho M:Kean Hy. Marchant

Jesse Root Wm. Paca

MS (DNA: RG 267, case no. 32). In a clerical hand, and signed by Marchant, McKean, Paca, and Root.

¹ The Delaware Court of Admiralty had awarded the sloop *Hawke* and her cargo on August 10, 1778, to Lt. Col. Henry Fisher, Capt. William Peery, and Capt. Daniel Murphy and their men.

The sloop *Hawke*, commanded by John Burrows, was carrying supplies to the British army when it went aground off Cape Henlopen near Lewes, Del., on May 2, 1778. According to testimony at the trial, Captain Burrows first surrendered to a member of the Delaware militia battalion commanded by Colonel Fisher. However, while Burrows was ashore, Captain Murphy, commander of the privateer sloop *Adventure*, boarded the *Hawke*. In the course of the next few days, Fisher and Murphy, joined by Captain Peery and his men of the Continental Independent Company stationed at Lewes, unloaded the *Hawke*, while repulsing attempts to recapture the sloop by a British armed brig.

When the Delaware court ordered that the proceeds be evenly divided among the participants of the three groups, Murphy appealed to Congress, where the case was referred on October 13, 1778, to the Committee on Appeals. The committee on July 29, 1779, remanded the case to the Delaware court because no copy of a definitive decision had been received. After the state court reaffirmed its decision on August 13, the Committee on Appeals in this decree dismissed Murphy's appeal and confirmed the Delaware decision. *JCC*, 12:1005; and case file no. 32, RG 267, DNA. See also Nicholas Van Dyke to Thomas Rodney, July 30, 1779.

² The Committee on Appeals also dealt with a second case from the Delaware Court of Admiralty during this same period, although the Committee's decree in this case—*Godwin v. The Schooner Fortune*—has not been found.

The Delaware Court of Admiralty had awarded the schooner *Fortune* and her cargo on July 31, 1778, to Gen. John Dagworthy and the state government after the *Fortune* had run aground on April 15, 1778, at Indian River in Delaware. Capt. George Knowles of the *Fortune*, which was bound to Philadelphia from Grenada with supplies for the British army, surrendered to General Dagworthy, commander of Sussex County militia, but at the same time privateer Capt. Samuel Godwin managed to put several of his men aboard the schooner. After the state court awarded the prize to Dagworthy on July 31, Godwin appealed to Congress, where on October 12, 1778, the case was referred to the Committee on Appeals.

Endorsements on a damaged docket slip indicate that the committee met on July 1 and 19 and August 23 and 27 in attempts to decide the case. On the last date the committee, with Henry Marchant, Thomas McKean, John Penn, and Jesse Root attending, "ruled peremptorily that this appeal be heard on the fifth day of September next." No further evidence of a decision was found in the file except for the endorsement in a clerical hand on the docket—"Decided 1779." See case file no. 31, RG 267, DNA; and Rodney, *Letters* (Ryden), pp. 260, 266–67, 274.

John Dickinson to Caesar Rodney

Sir, Philadelphia Sept. 8th 1779

Monsieur Gerard Yesterday communicated to Congress a Letter to him dated the 29th of June last from the Count de Vergennes Minister of France for foreign Affairs, informing, "that in Consequence of the decided part Spain has taken, the Forces of that Kingdom & of France are in Motion to affect a Junction, in order to direct their united Efforts against the Common Enemy—that Great Britain unwilling to renounce America, meditates the deluding her by sending over two Emissaries to offer a Truce & the drawing away the British Forces, on Condition that these States shall break their Alliance with France & enter into a Treaty with her"—on which Point the Count makes such Observations as are commonly made among Us on the Supposition of such a project being really designed by Great Britain.¹

I think the Count does not speak positively of this Measure being adopted by the Enemy. His Expressions are unusually vague—& perhaps it is only a political touch on an important String, to try the Tone of America, after the Accession of Spain to the War.

If he doubts our Temper, his apprehensions will soon be satisfactorily removed.

I mention this Affair to You, because it has produced already in this town a multitude of Falsehoods, which I suppose will be still gathering as it rolls as far as Dover.

I am, Sir, your very hble Servt.

John Dickinson

RC (DLC: Rodney Family Papers).

¹ Vergennes' letter to the chevalier de La Luzerne, an extract of which was presented to Congress on September 7 by Conrad Alexandre Gérard, was read and referred to committee. Vergennes had reported that Great Britain, fearing the combined forces of France and Spain, "has sent two emissaries to Congress with the offer of a truce, and even with power to withdraw all the English forces if America will determine to give up our alliance and to separate herself from us." But he also expressed anxiety over Congress' possible reaction to a peace overture and hinted broadly that the consequences of betraying the alliance would be disastrous, for France and Great Britain would reconcile, thus permitting the latter to "fall upon America with the whole mass of her power, very certain that no nation in Europe will afterwards take any interest in a nation which shall have signalized its birth by the most unworthy cowardice of which a government can be guilty." See *JCC*, 15:1034; Wharton, *Diplomatic Correspondence*, 3:310; and Meng, *Gérard Despatches*, pp. 746–47.

Congress was greatly disturbed by the import of Vergennes' letter. Dickinson quickly perceived that it was a "political touch" meant to "try the Tone of America, after the Accession of Spain to the War." And indeed, it proved an important catalyst as the delegates began to reconceptualize their peace objectives and reexamine the makeup of their diplomatic corps in the ensuing weeks before Gérard returned to France, where he would render to the court an accounting of his 18-month mission. For the first time the delegates faced the reality of an alliance with two sovereign nations knowing that they could no longer delay a resolution on the ultimata concerning Florida and the navigation of the Mississippi given Spain's intense interest in both.

They also knew that they had to give at least the appearance of having placed their financial affairs on a sound footing by controlling emissions and raising revenue in the states. Moreover, they were fearful of the "multitude of Falsehoods" that had arisen regarding the British emissaries and the local reactions that rumors might provoke as they spread throughout the states. Dickinson, at least, was sanguine that Vergennes' "apprehensions will soon be satisfactorily removed" by congressional action.

For the report of the committee assigned to prepare an official response to Vergennes' intelligence and the brief, cryptic reply that Congress adopted, see John Jay to Conrad Alexandre Gérard, September 25, note.

John Fell's Diary

Wednesday Sepr 8th. 1779

Coml Committee. Congress. This day spent in Reading dispatches, &c.

A Memorial from the State of New York, relating to the disputes with Vermont Refferd to a Committee of 5, vizt. McKean, Paca, Houlton, Huntington & Smith.

MS (DLC).

Jesse Root to Oliver Ellsworth

Dear Sir

Philadelphia Sepr 8th 1779

Yours of the 22nd ulto. came duly to hand. I most heartily regret the Misfortune of our fleet at Penobscot—it is the fortune of war. Spain has at length taken an active part in the war with France against England. It is believed that England will make further overtures of peace to America but all will be of no avail untill She acknowledges our Independance. A brig has arrived from St Eustatia with 40 Ton of powder. Congress has resolved that they will on no account whatever emit more than 200,000,000 of dollars & mean to depend on the Exertions of the States by loans & Taxes to Supply the Treasury. I Send herewith a paper, to which I refer you for the News.¹ The Journals you mention are to be had. The difficulty lies in the Conveyance. My Complmts to Mrs. Ellsworth.

I am dear Sir with respect & Esteem, your Obedt humble Servt,
Jesse Root²

P. S. Mr Drayton was buried last Saturday he died of a putrid nervous fever.

RC (facsimile, *Stan V. Henkels Catalog*, no. 731 [Dec. 5, 1894], item 161).

¹ Although Ellsworth had left Congress the previous winter, he attempted to remain abreast of congressional affairs and had recently contributed an essay of his own to the *Connecticut Courant* at Hartford in response to criticism of Congress expressed in an essay signed "O Tempora! O Mores!" which had appeared in the August 10 issue

of the *Courant*. For the latter essay, see James Lovell to Samuel Adams, July 8, 1779, note 2. Although Ellsworth signed his rebuttal simply "A Friend to Truth and Fair Play," he is identified as its author by Nehemiah Hubbard, deputy quartermaster at Hartford, in a September 7 letter to Jeremiah Wadsworth. See Burnett, *Letters*, 4:411n.4. The essay is printed here because of the interesting insights into congressional activities provided by Ellsworth, even though he had left Philadelphia in February 1779. It is addressed "To the Unknown Letter Writer in Philadelphia, who lately revealed to the public the situation of their affairs," and is dated "Hartford, September 1, 1779."

"I Cannot call you by name, Sir, but I see well enough what you aim at. You mean, if insinuations will do it, to overset the Congress and break up the union; and perhaps you think you are doing God service too; but you certainly use the devil's means. If we did not know Congress better than we do you, we might perhaps believe what you say of them. If we had not tried them and proved them at home we might believe they are traitors and ass ridden because you say it. In one thing you shewed your wisdom, it [*in?*] hiting upon a lucky time for your appearance. People are always cross and jealous enough when things go ill, and it was just then a time of great darkness. But you made a wretched mistake in another place; you never tho't that to do your work effectually it was necessary to conceal your malice; nor that saying things which could not be true would blast your whole design.

"If you had only told us that Congress were a slow body, and let their business run behind hand no body would have questioned you; for we all know that such a body as Congress is can't move otherwise but slow. There are too many men, too many states represented, of different interests, customs and habits to get along with dispatch. And sometimes they will seem to be forever about a thing before they can get it into such a shape as suits them all; and it may be a small matter too. But this is no new thing under the sun; nor is there any help for it.

"If you had also gone further and told us that Congress sometimes grow warm and have high debates, and are zealous on one side and the other; this we could have believed to; for the same happens in all free assemblies under heaven. Freedom of thought and freedom of debate, among men of bold spirits, will sometimes make warm work, and would scare a clown out of his wits.

"But that Congress should be ass-ridden with a jundo is a matter that wants proof. This jundo, by your account of it, is as full of wonders as the beast in the Revelations is of horns, and near as powerful. It consists, you say, mostly of New England men; who we know are elected not without regard to their religion as well as their politics: Yet they are here combined to vote alike in all cases, let oath and conscience go where it will, and let the public interest go where it will. They are to take care of themselves and connections, and at all events hang together; and if all this is true they ought all to hang in one haltar; and I should have no objection, Sir, if you crave the jobb to your being hangman. This jundo you tell us was formed in the first Congress, five years ago, and has continued and governed Congress to this day; carrying the votes just as they please; and whom they would they set up and whom they would they pull down; and the rest of Congress, the virtuous part, tho' a great majority, have all the while crouched down and born it. And what is more astonishing still, the matter has to this day been kept a profound secret. A wonderful work of great wickedness has been carrying on in Congress for five years and yet no mortal ever heard of it; neither from good men within doors nor from bad ones without. Another wonder in the matter is, that this wonderful combination has held its own so long. The members of Congress have been continually changing from the beginning, so that scarcely one of the first set are left behind; yet this jundo, ordained to last forever, remains fixed as fate—and are preserved, you inform us, by a sort of *Contrivance*—they so contrive it as to keep in. This is the *ne plus* of the matter, and ends in magick and mystery. I must not however omit to observe, that the effects produced by this jundo, are quite as inexplicable as the manner of its existance. To instance only in the case of Mr. Dean, to whom it is said to have been ever unfriendly and wrought against him. If so how can we account for his appointments from Congress one after another till he got to be their

minister? This junto being all the while unfriendly and working against him, and all the while governing Congress at pleasure. This with some other difficulties you will note, Sir, to be explained in your next address. But to proceed and

"Attend a little to the account you give us of our Commissioners at Paris. These you represent as totally ignorant of what is transacted in France, Spain, or England and that Congress gain no information from them. Do you believe this, Sir, yourself, or expect that any body else should? What have you to say of Dr. Franklin? Has he no discernment? Who discovered and taught us how to manage the lightning, and lead it about with a thread? Was not the Doctor received at the Court of France with unusual marks of honor and confidence? Does not Mr. Dean in his narrative, which it seems you had a sight of, celebrate him highly as a politician and philosopher as well as his friend? Yet you would now persuade us that he is perfectly insignificant and a fool! And what, Sir, have you to say of Mr. Adams, whose character as a warm and enterprising patriot, and able statesman, is I trust too well established in both countries to suffer by the attacks of envy. As to Mr. Lee, be his other talents or graces what they may, you know, if you know any thing about him, that it is the soul of that man to be forever prying into secrets and communicating them to his employers, and that he has written letters enough himself to Congress, since he has been in France to have made a volume; and among much other interesting intelligence, has not failed to furnish them seasonably and very particularly from time to time with the secrets of the British cabinet. And I will venture to add had he wrote somewhat less than he has he might have been less obnoxious to men both on that side of the water and on this. And yet, Sir, you would persuade us that since the recal of Mr. Dean [*Congress?*] have entrusted our foreign affairs to men of little discernment and no information at all.

"Not less groundless and malignant is your reproach of Congress upon the subject of a foreign loan. This you insinuate they might have obtained, if, according to Mr. Dean's opinion when he returned from France, they had immediately sent a proper person after it; but that instead of sending immediately, they have been quarreling amongst themselves, and not able to this day to agree who shall go after and have the handling of it. Do you not know, Sir, or do you suppose that others do not, that Congress, before Mr. Dean's return, had instructed their commissioners respecting a foreign loan; and that the most likely courts in Europe from whence to obtain it had been sounded upon the subject more than a year ago, and the reason why it was done without success must be obvious to every one who will consider but for a moment that the warlike appearances and preparations in that quarter of the world make a good market for all their money nearer home, and borrowers enough that can give more unquestionable and established security than we as yet can. Nor ought we perhaps to regret the disappointment. We are now reduced to the necessity of taxing ourselves and paying as we go; which though more irksome for the present, may be less so hereafter than a foreign debt and less dangerous to the liberties of the people. Nor are our finances by any means in that distressed and languishing state as that they must fail without foreign support. Since the expedient of taxing copiously has been adopted they have not languished. For three months past the money has sunk none; I appeal to all purchasers and men that handle it. But, Sir, to proceed to your

"Fourth and last charge against Congress. Which is that they have neglected the proper means when offered to them for bringing the war to a close. That Spain was disposed to have negotiated with Great-Britain, and obtained a peace for us; could she but have known what our terms were. That Congress was acquainted of this so early as February last, and then and ever since pressed upon to give Spain an answer, but have never yet done it; through which neglect her mediation has been delayed and she kept back and prevented doing anything for us or herself. That Spain has ever applied directly or indirectly to know our terms is false, absolutely so. She and all the world knows that we claim to be independent; and that Great Britain must be brought to acknowledge or cede that claim, before there is a possibility of a treaty between us upon national grounds. She must first yield to us the great point that we are in fact a nation or States independent of her, then and not till then may we go on to treat and settle our extent, appendages, rights of commerce, etc., and draw the

lines between us. To pave the way for such a treaty on national grounds—to obtain from Great Britain the great preliminary concession of independence, is all that Spain or France has ever been concerned with, or ever will be. And if Congress has ever been admonished of any thing from Spain, it must have been to be ready and prepared for such a treaty if by her negotiation a door should be open therefor, which has not yet been the case; so that whether Congress have been more or less time in preparing and adjusting matters for such a treaty, there has yet been no door open for making use of them, and of course no delay has happened for want of their more seasonable preparation. That Spain, for want of Congress being ready to enter upon a treaty has been one moment delayed in her negotiations to pave the way for one, is absurd in the supposition, and contrary to fact. The curtain is now dropped, and all the world may see for themselves whether Spain has been prevented negotiating for want of our terms or any thing else. The fact is, the negotiation began ten months ago and has been perseveringly pursued on the part of Spain ever since, until proving to be ineffectual for the ends hoped from it; it has now given place to arguments of greater force. These facts and your insinuations you cannot but see, Sir, are directly opposed to each other; I believe you are confounded; but I will not revile you, and am content in the public's having a fair opportunity to judge of your character and designs. A Friend to Truth and Fair Play." *The Connecticut Courant*, September 7, 1779.

² Immediately following his signature, Root added the words "turn over," apparently signifying that he added a second postscript on the verso, but only this one page of the letter was reproduced by Henkels.

Committee of Congress Report

[September 9, 1779]¹

The Committee to whom was referred the Memorial of Silas Deane, Esqr of the 16 August last, beg Leave to report.

That the Memorialist, as appears by the Minutes of the Committee of secret Correspondence, dated 23 January 1776, had undertaken a Voyage to Martinique for the publick Service.

That on the 22 February 1776, it was "agreed by the said Committee that he should proceed immediately for France as an Agent of the Congress to transact such Business, and negotiate such Matters as may be committed to him by Congress or their Committee."

That it was certified by the Committee "To all whom it may concern, that the Bearer, meaning the Memorialist, was appointed to go into France there to transact such Business commercial and political, as the said Secret Committee had committed to his Care in Behalf and by authority of the Congress of the thirteen United Colonies:"

That in the Sequel of Instructions given to the Memorialist by the Secret Committee he was directed "to keep a daily journal of all material Transactions" in the Conduct of his Agency.

That your Committee are of Opinion the Secret Committee judged it unnecessary to give the Memorialist particular Directions to keep fair and exact Accounts of all receipts and Expenditures of Money on Behalf of his Constituents, the Keeping and regularly transmitting of such Accounts being the indispensable Duty of every Agent

whether publick or private, and that therefore Congress had a right to expect from the Memorialist upon his Arrival at Philadelphia, circumstantial and accurate Accounts of his Contracts if any, and a regularly-stated Account current of all receipts and Payments of Money for these States, together with Invoices and Bills of Loading for Goods shipped, and receipts or other satisfactory Vouchers for Payments made [by him].

That the Memorialist ought to have brought with him from France, and to have laid before Congress, a fair Abstract of all Engagements on Account of these States so far as he had proceeded in them, which is the Duty and the Practice of every faithful Agent acting for private Persons or publick Bodies.

That no good and deciding Reasons have occurred to the Committee sufficient to convince them, that it was necessary the Memorialist should return to America in the Count D'Esaing's Squadron, rather than by a Conveyance somewhat later, after having taken the proper Steps to afford Congress the Satisfaction they were entitled to as to his Transactions and Accounts; or sufficient to justify the Memorialist in leaving his Accounts and Vouchers in France, not in the Hands of the Commissioners, and in such a State as not to be settled without his returning thither.

That the Committee are of Opinion the Memorialist ought to have deposited in the Hands of the other Commissioners at the Court of Versailles, the Originals or Copies satisfactorily authenticated, of all his Accounts and Transactions as aforesaid, especially as he was duly informed that another Commissioner was appointed to supply his Place, whence he could have had no Foundation for presuming that he was to return.

That there is no Evidence arising from any Vouchers produced by the memorialist that a considerable Balance or indeed any Balance at all is due to him from the United States; and that it would be highly improper to give Orders for the Payment of any such Balance in Europe, while the Claim is rested on no better Foundation.

That the Committee are of opinion the Memorialist ought to be informed Congress have received the Vindications of the Honorable Arthur and William Lee, Esquires, against certain Charges and Insinuations respecting their publick Conduct published by the Memorialist in the Pennsylvania Packet of 5 December 1778; and also of such Charges, as the said Arthur and William Lee have set up against [him].

That the Committee are of Opinion if it be consistent to detain the Memorialist, he ought to be detained, and directed to send to France for all Accounts and Vouchers of his Transactions, in Order to adjust his Accounts at the Treasury Board, and to answer the Charges set up against him by the said Arthur and William Lee, and that the said Arthur and William Lee should be directed forthwith to attend Congress as well for the final Adjustment of their own Accounts as

for answering to such Charges as have been brought against them respectively by the Memorialist, and for supporting their several Charges and Accusations against him: but if it be not consistent to detain the Memorialist, the Committee are of Opinion the generosity of Congress cannot be further extended than the following Resolution expresses which they submit.

Resolved, That Silas Deane, Esqr be allowed his reasonable Expenses for the Space of Months, while repairing to Europe and there adjusting his Accounts and collecting his Vouchers for final Settlement at the Treasury Board of the United States, and returning; the said Expenses to be charged in his said Accounts.

MS (DNA: Record Group 76. Records Pertaining to the Claim of P. Beaumarchais). In a clerical hand and endorsed by Charles Thomson: "A report of the Comee. on the Memorial from S. Deane, 16. Aug. 1779. Read Septr. 9. Ordered that Monday next be set apart for considering this report."

¹ Deane's August 16 memorial was read in Congress on the 19th and referred to a committee consisting of William Churchill Houston, Henry Laurens, and Meriwether Smith. The committee brought in its report this day, but Congress postponed consideration of it until Monday, September 13. It does not appear that the report was ever taken up, however, causing Deane to complain to Pres. Samuel Huntington three months later that "As I have received no answer to my memorial of the 16th of August last, I conclude none will be given." See *JCC*, 14:979, 15:1041; *PCC*, item 41, 2:448–55; and Wharton, *Diplomatic Correspondence* 3:411.

A nearly identical copy of this report, in the hand of Henry Laurens' secretary, Moses Young, is in the Laurens Papers, no. 20, ScHi. This is the text that was printed in Burnett, *Letters*, 4:415–16. Laurens endorsed this copy "Mr. *(Houston)* Ls proposed Report on Mr. Deane's Memorial," thus indicating that he was the probable author of the report submitted by the committee. For Houston's "proposed Report," which is also in Lauren's Papers, see the following entry.

Further evidence of Laurens' preoccupation with Deane's affairs is found in a detached sheet located with "Mr. Ls proposed Report" on the Laurens Papers microfilm ScHi, that is closely related to the committee's concerns. The text, in Laurens' hand, reads as follows:

"That his having been engaged in private Commercial Trade while he was acting in a Public Character in France his further and more extensive engagements of the same nature since his arrival in America & at a time when he was strenuously endeavouring to impress upon Congress a belief of the utility of & even necessity for his return to Europe in a Public Character do not entitle him to that approbation which he wishes to infer from the past silence of this House, that his conduct in these respects particularly, is highly reprehensible, altogether inconsistent with his professions of disinterestedness in the Public service & contradictory to his declaration 'that from the Moment he engaged in the foreign affairs of Congress he put everything private out of the question.' " For further information on the printing of this fragment in this context, see these *Letters*, 12:524,n. 4.

William Churchill Houston's Proposed Report

[September 9, 1779]¹

The Committee to whom was referred the Memorial of Silas Deane Esqr. of the 16 Augt. last, Report,

That they have considered the said Memorial, and are of opinion,
 1st. That the Memorialist was directed in the Instructions given him by the Secret Committee to keep an exact and circumstantial Account of all his transactions of every kind from time to time, and that therefore Congress had a right to expect a fuller satisfaction in this particular than can be derivd from the Papers and vouchers Mr. Deane has produced, even under the Idea that the resolution of Congress of the 8th December 1777 was an order immediately to repair to America.

2. That it does not appear from any Vouchers produced by Mr. Deane that a considerable balance is due to him from the United States, but the presumption rather is, that if any balance is due it must be small, and many circumstances make it doubtful whether a balance is not due from Mr. Deane to the Public. That at any rate it would not be adviseable to authorize Mr. Deane to receive any balance in Europe, the final settlement of the said Accounts being to be made at the Treasury of the United States.

3. That Mr. Deane ought to be allowed his reasonable expences for Months to enable him to repair to Europe for the purpose of collecting and adjusting his said Accounts, agreeably to the Resolution of Congress of the 6th of August last.²

The Committee therefore submit the following Resolutions

1st. That Mr. Deane be allowed his reasonable expences for the space of Months while repairing to Europe and there adjusting his Accounts for final settlement at the Treasury Board of the United States, and returning, to be charged in the state of his said Accounts.

MS (ScHi: Laurens Papers, no. 20). In the hand of Moses Young, and endorsed by Henry Laurens: "Mr. Houston proposed Report on S. Deane's Memorial 16th Augt."

¹ For the appointment of the committee that considered Silas Deane's memorial of August 16 and the report that it submitted this day, see the preceding entry.

² See *JCC*, 14:928-30.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir

Philadelphia 9th Septemr. 1779

We have the Honour to transmit your Excellency by this conveyance Journals of the proceedings of Congress from the 12th July to the 14th of August contain'd in five pamphlets.

Congress have come to a Resolution to put a Stop to the Emission of bills and that the quantity in circulation Shall not exceed 200,000,000, on any [account?] whatever & to Stop as far short of that Sum as possible relying on the exertions of the Several States to supply the necessary current Expences.

It is Expected we Shall ob[tain] Credit for Such foreign Supplies

as m[ay] be necessary for prosecuting the War, and that our Internal reseources by Taxa[tion] & loans may discharge the Internal [. . .] Expences at least for Some time.

Some farther provision hath been made for the Officers & Soldiers under the Idea of Subsistance &c until the farther Orders of Congress this being published in the papers your Excellency must have doubtless been acquainted with the Resolution.

The Officers for the board of [Treas]ury &c are not yet appointed, tho, it is expected their appointment will soon take place.

Committees appointed to prepare the proper Resolutions for constituting Courts of appeal for the final decision of all admiralty causes, & a proper board of Admiralty, have not yet made their Reports.

By the latest Advices we have received from Europe every thing appears favourable to our cause in that quarter of the world. We have nothing to fear from Russia¹ after all the reiterated Threats & falsehoods that have been thrown out on that Subject by Brittish Emissaries & by the Intelligence containd in the papers inclosd it Seems that Great Brittain in her present Situation is without any powerfull Ally [. . .] necessity soon compell her to reasonable terms of Peace.

We have the Honour to be with the greatest Esteem & Respect,
Your Excellencies humble S[ervants] Saml. Huntington

Joseph Spencer

J Root

P. S. We have receivd official Intelligence from France that Spain have taken a decided part & Joined their Armaments with France, in consequence therof (as is suspected in France) Great Brittain are Sending Emissaries to America to offer us a truce & withdraw their forces if America will renounce All connection with France, if [this?] Suspicion is well grounded time will Discover it.

We forgot to mention the Resolution of Congress recommending to the Several States to make adequate Compensation to their Troops &c which will be published in the next Journals.

We are ut Supra

RC (CtHi: Samuel Huntington Papers). Written by Huntington, and signed by Huntington, Root, and Spencer. Endorsed: "Recd. 17th Sepr inst per Mr Johnson."

¹ For the delegates' interest in Russia, see also the following entry, note 2.

John Dickinson's Notes

[September 9–17? 1779]¹

Indeed, the Justice & Liberality manifested by the first of those Monarchs to these States, and our firm perswasion that the other

Branch of the Bourbon Family will be influenced in their Conduct towards Us by the same noble & solid System of Policy that ensures a permanency of Friendship by establishing it on unexceptionable principles of equal & mutual Advantages have induc'd Us to repose an entire Confidence in their royal Dispositions of which We wish You to give them suitable proofs throughout the Negotiation.

So far do We find ourselves moved by these Considerations, that You may assure his most Catholic Majesty, that with Respect to the Connection to be formed between Spain and these States, We are perfectly convinc'd the Terms that shall be propos'd by his Majesty and which We wish to receive from him, will meet with our approbation.

You will then take Care strongly to represent the earnest Desire of these States to have the free Navigation of the Mississippi into the Sea allowed to them—the pressing Necessity of Assistance for putting their Finances on a better footing, the Disorders of which wear a most threatening aspect, and are tending fast if not quickly remedied more effectually than they are able to do, to Consequences We cannot bear to mention—that if the Conduct of the Enemy shall by their Haughtiness and Ambition so offend the Moderation of his most Catholic Majesty, that he shall determine to take part with the Allies, these States will demonstrate the sincerity of their Esteem for his Majesty, and their Zeal in promoting his Interests, by affording such aid, in such Manner & on such Conditions, as to his Royal Wisdom and Equity shall appear just & reasonable.²

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson.

¹ This day Dickinson presented a motion to empower the minister plenipotentiary of the United States to negotiate a treaty or treaties with Spain “thereby assuring to these states, Canada, Nova Scotia, Bermudas, and the Floridas, when conquered, and the free and full exercise of the common right of these states to the fisheries on the banks of Newfoundland and the other fishing banks and seas of North America; and also the free navigation of the Mississippi into the sea.” The manuscript fragment printed here represents Dickinson’s attempt to draft instructions for the minister, probably at some point between the presentation of his motion to Congress this day and September 17, when a committee of which Dickinson was not a member was appointed for that purpose. See *JCC*, 15:1042–43, 1085.

² Additional evidence of Dickinson’s far-reaching interest in foreign affairs is found in the following undated note, concerning a minister to Russia, located in a collection of his papers. Few references to this subject have been found in the delegates’ correspondence during this period, although Congress did appoint an envoy to Russia in December 1780. He may well have drafted the note during Congress’ debates in late September 1779 over the appointment of a minister to Spain and a plenipotentiary to negotiate peace with Britain.

“[Query]. If a Minister should not be sent to Russia to give all proper Information concerning the Commerce of that Country which We use in great Quantity, the Advantages to be deriv’d from a free Trade to so distant a part of the World as America, & the Voyage so healthy—Our Determination to treat Russia as Gens Amicissima.” Logan-Dickinson Collection, PHi.

For another rare mention of Russia, from whom the United States were now deemed to have nothing to fear, “after all the reiterated Threats & falsehoods that have been thrown out on that Subject by British Emissaries,” see the preceding entry.

John Fell's Diary

Thursday 9th [September 1779]

Commercial Committee. Congress. This day I nominated Wm. Denning Esqr. to be appointed a Commissioner for the Board of Treasury.¹

PM Marine Committee.

MS (DLC).

¹ Denning's name appeared again in the list of nominees in the journal entry of October 12, but was apparently lined out by secretary Thomson when he discovered the duplication. *JCC*, 15:1040, 1065.

Samuel Holten's Diary

[September 9–10, 1779]

9. Thursday. At evening I attended the marine Come. no news this day.

10. Friday. I spent part of the day upon the affairs of Vermont. Nothing new.

MS (MDaAr).

Samuel Huntington to Jonathan Trumbull, Sr.

Sir

Philadelphia 9th Septemr 1779

I do my Self the Honour to forward the Inclosed Letter for your Excellency which I have Just receivd in a packet from France. General Spencer designs to leave us in about ten days,¹ on his return home it will be expedient that another Delegate Supply his place.

I Shall be happy if two of the Gentlemen would come forward at the Same time, that I might be releivd. It would make the Journey more agreeable to them, and greatly oblige me if I may be permitted the liberty to retire and Attend to my private concerns as soon as public business will permit.

Congress have come to a Resolution to Stop the Emission of Bill which they mean to abide by at all Events, as necessity Seems to require this measure. I presume it will be generally approved. I have taken the Liberty to inclose the Resolution for that purpose tho, not attested.

Farther measures for Supplying the Treasury I trust will soon be adopted & Immediately forwarded to the Several States.

The Aspect of public affairs in Europe at present are very favourable. There Seems great probability that dire necessity will Soon bring Great Brittain in Spite of themselves to reasonable terms of

peace with us. God grant we may not be disappointed in the Expectation.

I have the honour to be, with every Sentiment of Esteem and Respect, Your Excellencies humble Servt. Saml. Huntington

RC (Ct: Trumbull Papers).

¹ Joseph Spencer is last recorded as voting in Congress on September 17. *JCC*, 15:1081. For Spencer's congressional attendance, see also John Fell's Diary, March 27, 1779, note 1.

Henry Laurens' Notes on a Treaty with Spain

[September 9–17? 1779]¹

That is to say, all the Territory of West Florida as that Country is now bounded & described & all the Territory of East Florida North & West of the River St. John reserving the determination of the Line running from the Mouth of the River St. John's due west to Commissioners to be hereafter appointed by the Court of Spain on one part & the U.S. on the other part.

That all the territory including the Islands North of the River St. John's shall be retained as part of the State of Georgia to be guaranteed on the part of Spain to these States.²

MS (ScHi: Laurens Papers, no. 32). In the hand of Henry Laurens and endorsed in another hand: "Monsr. Gerrard. The floridas &c. Treaty with Spain. Article of Treaty."

¹ Congressional interest in the future of the Floridas and navigation rights on the Mississippi had not been far from sight since February 1779 when the subject of American peace demands had come under discussion, particularly during the six weeks after August 5 when motions were offered for instructing a minister plenipotentiary to secure recognition of American rights to the Floridas and free navigation of the Mississippi. When Conrad Alexandre Gérard informed Congress on September 7 that Spain had broken off diplomatic relations with Britain, the topics acquired a new sense of immediacy, and two days later the delegates reopened debate on instructions to guide a minister plenipotentiary in negotiating "a treaty or treaties" with Spain similar to those signed with France in February 1778.

Apparently little real interest in annexing the Floridas had developed, however, as delegates such as Laurens probably preferred to concede Spain's right to the territory in return for a guarantee of the Georgia-Florida boundary at the St. Johns River and free navigation of the Mississippi. On September 17 Congress therefore resolved that if Spain should "accede to" the Franco-American alliance, the United States would aid Spain in obtaining the Floridas in return for a Spanish grant to the United States of "free navigation of the river Mississippi, into the sea" and establishment of a free port on the river south of the 31st parallel. Although an effort was made in October to "recede from the claim of a free navigation of the river," John Witherspoon's motion to do so was rejected by a vote of six to four and the previous resolution stood as adopted. See Gouverneur Morris' Draft Motion, October 13, 1779.

It seems probable that these notes by Laurens were drafted during the period September 9–17 when such instructions were considered on at least four occasions, perhaps about the 11th, when John Fell noted that "the whole day [was] taken up in the Proposals for a negotiation with Spain." See *JCC*, 14:924–26, 937–38, 15:1041–43, 1046–48, 1080–85, 1168; and John Fell's Diary, September 10–11, 1779. For

Laurens' interest in the related issue of free navigation of the Mississippi, see also Laurens' Notes on Negotiating Instructions, August ? 1779.

² Shortly after Congress resolved on September 17 to offer Spain a guaranty to her claims to the Floridas, the Spanish agent in Philadelphia, Juan de Miralles, sent the following interesting report to José de Gálvez, Minister of the Indies in Madrid.

"The Congress has agreed," Miralles wrote on September 24, "upon the points which will be presented to the Court of the King our Sire by the Minister Plenipotentiary whom they will name to represent them there. I have learned that they are the same points which I have had the honour of reporting to Your Excellency, except that now they claim free entrance and egress on the Mississippi River. This claim has been advanced by the members from the northern provinces, which actually are the provinces to which that privilege is least profitable. I have tried as well as I am able, lacking authority to do so otherwise, to inform and to convince them that our King will never accede to that demand, and Monsieur Gerard has helped me by doing the same.

"The opposing party, to which the President belongs, is convinced by our persuasion. They have agreed to include that claim only in order to avoid controversies and to accelerate the passage of the resolution, which was being delayed by disputes. They believe that, although it is not to have any effect, it will serve as a basis for the opening of negotiations, which they are sure will be concluded to the satisfaction of His Majesty, because all the members of Congress unanimously express their desire to concur with whatever may be to the Royal pleasure of His Majesty. They and the general public base their hopes of future happiness on his protection and friendship.

"The list of instructions for the Minister who is to be chosen has been completed. He has not yet been named, but they say he will be chosen by tomorrow. Many people favor Arthur Lee for the post, but his opponents expect to prevent his appointment and hope that the position will be given to another. If one is named before the departure of the frigate on which Monsieur Gérard will travel I shall have the honour of reporting his identity to Your Excellency.

"If His Majesty were pleased to permit the Americans who are already settled on the Ohio River and those who will settle there to ship their productions down the Mississippi River to Nueva Orleans, making that city a depot at which to sell their products to subjects of the King and to receive in exchange products imported from Europe, the transactions would be very profitable to the Royal Treasury and to the Spanish nation, as Your Excellency's keen understanding will perceive. . . . This method would be adopted very gladly by the Congress and all the investors in those settlements, and perhaps would lead to the concession of other claims on the part of His Majesty." Audiencia de Santo Domingo, Legajo 2598, Archivo General de Indias, Seville (Aileen Moore Topping translation, Manuscript Division, DLC).

Jesse Root to Jeremiah Wadsworth

Dear Sir

Philadelphia Sept 9th, 1779

Congress have resolved not to emit on any Account Whatever more than 200,000,000 dollars & Expect to depend on the States to Supply the Treasury by Taxes & loans.

By official accounts from France Spain has taken an active part in the war against England, and its thought in France that England, to avoid the hard necessity of acknowledging the Independance of America will Send Commissioners with power to with draw the Troops from America & attempt a Seperate Treaty, thereby to detach us from the Alliance. They may make a Merit of necessity—being obliged to with draw their Troops to protect their own territories,

make it a ground of Treaty with us—but they must, however hard & humiliating to the pride of Britain, they must acknowledge America to be Independant. Your letter to the Committee respecting the prize goods being purchased for the use of the army is referred to the Marine Committee with orders to detain the whole of the united States part for the use of the Army.

While this was writing yours of the 4th Inst came to hand. The prize flour brot into this place is all distributed amongst the Inhabitants. Colo Blain went to Delaware & Maryland last Tuesday to purchase flour, have not heard from him Since, but he Said before he Set out he Should Send on 1,000 barrels flour this Week, we Sent of an Express immediately to him with a Copy of your letter urging him to push the flour with all possible dispatch, I am dear Sir, with much esteem your humble Servt,

Jesse Root

RC (CtHi: Wadsworth Collection).

John Fell's Diary

[September 10–11, 1779]

Friday Sepr. 10th 1779. Commercial Committee. Congress. Sunday Letters &c. Report from the Board of War for the States to Provide Cloathing for their Troops &c. Reports from Mr Dickinson for a Negotiation with Spain, another by Mr. Huntington.¹

PM Marine Committee.

Saturday Sepr. 11th. Coml Committee. Congress.

This whole day taken up in the Proposals for a negotiation with Spain.

MS (DLC).

¹ For John Dickinson's "report," which was entered in the journals under September 9 rather than 10, see John Dickinson's Notes, September 9–17, 1779, note. For Samuel Huntington's September 10 motion, see *JCC*, 15:1045–47.

John Fell's Diary

Monday Sepr. 13 [1779].

Coml Committee. Congress. A great number of dispatches took up the whole day till 5 O Clock. Dined with Governor Livingston at Mr Jays.

MS (DLC).

Samuel Huntington to Benjamin Huntington

Sir Philadelphia 13th September 1779

I return you my greatfull Acknowledgements for your favour of the 3rd Instant, a Correspondence as at all times agreeable, but at the present, profitable as well as pleasant; & may prove advantagous to the public as well as my Self in my present Situation to know what is done & doing in distant parts & particular in Connecticut.

It is doubtless wise & proper to keep N London & the Coast in general guarded as well as possible tho, I begin to hope the Enemy will make no further Incursions into Connecticut or none considerable.

The Recruits arrivd with Arbuthnott by the best Intelligence we can obtain are between 2 & 3 thousand & many of them Sickly and we have Just receivd Intelligence from N. York that a number of troops are Embarking, their distination unknown but Conjectured for Some Warmer climate as the Officers are providing themselves with thin Light Cloaths.

A Packet is arrivd from England at N. York which came out Since the Spanish Manifesto was published, but nothing as yet Transpires. We have it from high Authority in France that Since Spain have taken decisive measures in their favour, it is Supposd the British Cabinet were Sending out Emissaries to Congress in Some Shape or other to offer a truce with us & withdraw all their troops provided America will renounce her Alliance & Connection with France; whither there be any foundation for this Supposion or not time must discover, Indeed nothing but their past folly could induce any belief they would be Such fools.

You may be assured that all the Insinuations you have heard that Congress might have made peace but prevented the terms &c are wholly groundless & published or propagated by Ill minded persons with an evil design. Congress are desirous of peace the moment that Safe & honorable terms are offerd and in all probability the day is not far distant when dire Necessity will bring Brittain to those terms.

I have the pleasure to inform you A very good harmony Subsists in Congress. They have come to a Resolution to Stop Emission which you will Soon See with the plan adopted, & address on the Subject.¹ This Step with proper Oeconomy & Such other measure as may be adopted I cannot but hope will have a Sensible beneficial Effect upon the Currency.

I am Sir with Sentiments of Esteem & Regard, your humble Servt,
Saml. Huntington

P.S. Letters by the post from the Eastward of late come to this City very regular & Safe so that Intelligence may readily be conveyed in that way.

RC (NRM: Huntington Collection).

¹ The "address" was approved by Congress this day and sent to the states the next day. See John Jay to the States, September 14, 1779.

Henry Laurens' Notes

[September 13? 1779]¹

Notes for my Remarks in Congress

Finances, are the Revenues of a State or kingdom.

Financiers, are Men who devise ways & means for assessing & collecting revenues.

He is the best financier who points out particular subjects in his State for assessment, from whence the largest revenues may be drawn, with the least expence, & which the people will pay with the least murmuring. For taxes & murmuring more or less, are inseparable Companions.

The duty of Congress is to be watchful over the expenditure of the Public Money, to call those Men in whose hands such Money has been entrusted to strict accounts at stated periods—to make an Estimate year by year of the public debt & to assign just proportions of the whole debt to be raised by the States respectively in order to discharge the whole annual Amount.

It is the duty of the several States to finance, agreeably to the custom or local circumstance of each, & to assess & collect by ways & means of their own devising, the proportion of the general debt, which shall have been assigned to each & to remit such proportions into the general Treasury within stated periods.²

Congress have in no Instance acted the Financier, except in the single article of Loan or borrowing Money.

How that branch has been œconomised both abroad & at home is known only to a few Members of this House, the rest are almost ignorant, our constituents at large are altogether so—when the burthens of Taxes fall heavily upon them, they will open their Eyes & enquire—and then—but here I draw a Veil.

Congress being the most mutable public body on earth is not tangible.

Who shall applaud it for the benefits or censure it for the Evils arising from the Manœuvres & voices of Men whose names are not upon Record, or from the dead preengaged Vote of one, whose voice has established many an important point when he had no right to sit here³—& whose detection & consequent cecession has nevertheless been much lamented.

MS (PHi: Laurens Papers). In the hand of Henry Laurens.

¹ It is not known for what purpose Laurens drafted these notes. They are so general he could have used them on a number of different occasions. They have been placed here simply because Laurens was a member of a committee "appointed the 3d Instant

to devise further ways and means of supplying the treasury," which submitted a report this day. See *JCC*, 15:1019–20, 1050–51.

² The remainder of the manuscript has been enclosed in brackets, but they appear to have been inserted with another pen at another time and may not be the work of Laurens.

³ At this point in the MS Laurens inserted an asterisk, to which he keyed the following name at the foot of the page: "Govr Morris." Nevertheless, no relation between this passage and any issue or incident relating to Gouverneur Morris has been discovered. It does, however, bring to mind Laurens' concern in April 1779 over the continued attendance of Edward Langworthy in Congress after his credentials had expired. That Langworthy was indeed the delegate Laurens had in mind here has been argued explicitly by Laura Page Frech, "The Career of Henry Laurens in the Continental Congress, 1777–79" (Ph.D. diss., University of North Carolina, 1972), p. 491. See also Edward Langworthy to John Houstoun, April 5, note 2; Laurens to John Laurens, April 16; and Laurens' Notes of Debates, May 8, 1779, note 7.

John Fell's Diary

Tuesday Sepr. 14th. 1779.

Commercial Committee. Congress. Two memorials were read relating to the Lands of Indiana and Signed by Trent & Geo Morgan,¹ Mr Scudder moved for the first Memorial being Committed, after long debate on the Part of Virginia to oppose it,² the Question was Put and Pas'd in the Affirmative, then the Delegates from Virginia made a Motion that Congress had no right to interfere in the affair at all, and had no jurrisdiction nor right to appoint a Committee. The Delegates of N Carolina and from So Carolina made objections to Vote and were joind by the President under a notion that the Lands in Question were intended to be seperate States. Long debates till Adjourn'd.

Did not attend the Marine Committee being unwell.

MS (DLC).

¹ Fell left these spaces for the words "Vandalia" and "William." For the September 11 memorials of George Morgan in behalf of the Indiana proprietors and William Trent in behalf of the Vandalia claimants, see *JCC*, 15:1063–64; and PCC, item 41, 10:79–86, item 77, fols. 234–37. On October 8 the memorials were assigned to a committee of five which reported on October 27. For Congress' official actions on the memorials, see *JCC*, 15:1064–65, 1155, 1213, 1223–24, 1226–30; and Samuel Huntington to the States, October 30, 1779.

² The journals do not mention the Virginia delegates' objections to Nathaniel Scudder's motion or the long debates that ensued thereafter.

Cornelius Harnett to Richard Caswell

Sir

Philadelphia Sepr. 14. 1779

The reinforcement of Troops arrived at New York in Adml Arbuthnots Fleet, ammounts, by the best account which can be procured, to about 3000. A Number of Transports are fallen down

below the City, & it is supposed they are to take on bord about 4 or 5000 Troops destined either for the West Indies or the Southern States; Congress seem inclined to send the No Carolina Brigade on, for the defence of the Carolinas & Georgia. The Officers are in a most deplorable situation for want of Clothing none having been sent on of any consequence for their relief. The Delegates of our state are therefore reduced to the necessity of applying to Congress for a Sum of money, to purchase necessities to Supply their wants; whether they will be able to attain such supply they are not yet certain. Should the Enemy intend an Incursion into the Southern States, Your Excellency must know much better than I can pretend to inform you, how deficient Our State is, in the Article of arms, field pieces &c. Perhaps an Application from the Genl Assembly at such a Crisis, to Congress, might be Successful.

Congress have determined on putting a Stop to any further Emissions of Paper Money, & throw themselves on the Several States for Taxes & loans of money to Enable them to Carry on the war, a Draught of a Circular letter is prepared, which together with the resolutions of Congress will be transmitted by the President to Your Excellency in a few days.¹ It is believed that the Salvation of Our Country depends intirely on the Exertion of the Several States to Supply the Continental Treasury.

Spain is at Open Hostilities with Britain and will no doubt soon Acknowledge the Independence of these States. No Official Account of the Court of Madrid Intentions, has been as yet received in Congress. It is supposed Spain has had her eye on the Florida's, I think She has; & from thence are induced to believe she will make some advantageous offers to the United States—provided they will Guarantee those Provinces to her at the Conclusion of the War. This is a matter which may require great deliberation. And the question may turn upon this point—Whether it may be more for Our advantage to have the Spaniards or the English for our Neighbours. The Independance of America is we think Secured by Spains entering into the War; & nothing remains for us to do, but to keep a good Army in the field, & Support the Public Credit, & this depends solely on the Patriotic exertions of the Several States, But it is Needless for me to dwell on this great Subject as it will be so fully & judiciously discussed in the Circular Letter which Your Excellency will very soon receive.

I take the Liberty to inclose a few of the last Papers. I have not been favoured with a line from you since my Arrival which has given me Concern. I have the Honor to be with very great [. . .] Your Excellencys Obedient & very huml [servant], Cornl Harnett

RC (MH-H: bMS Am 1649.8). Tr (Nc-Ar: Governors' Letterbook). RC damaged; missing words supplied from Tr.

¹ See the following entry, note 3.

John Jay to the States

Sir, Circular Philada. 14th Sept. 1779.

You will receive herewith enclosed copies of three Acts of Congress, One of the 21st. Augt. on the Subject of an Embargo—One of the 25th Augt. against Restrictions on the Inland trade between the States,¹ and the third of the 10th Inst. for providing cloathing for the troops.² The two first should have been as usual sent to the States directly after they were passed but it was the sense of Congress till within a few days to delay their transmission.

I have the honor to be with great Respect your most Obedt. Servant.

P. S. Inclosed you will also receive a copy of a circular letter from Congress to their constituents.³

LB (DNA: PCC, item 14).

¹ See Jay to Caesar Rodney, August 30, 1779, note.

² *JCC*, 15:1044–45.

³ For the delegates' long circular letter to their "Friends and Fellow-Citizens" of the United States, adopted on September 13, which the president was requested to prepare "to accompany the resolutions of Congress of the first and third instant, for stopping the further emissions of bills of credit," see *JCC*, 15:1036, 1051–62. In it a particular effort was made to distinguish between the "natural" and "artificial" depreciation of the Continental dollar, the former of which was held to be "little more than as five to one," the ratio of \$160 million in Continental currency actually issued to the \$30 million "necessary for a circulating medium." This foreshadowed Congress' formal repudiation of the Continental dollar in March 1780, when it announced that the \$200 million then in circulation would be redeemed at the rate of 40 to 1 for \$5 million in new bills. Edmund C. Burnett, *The Continental Congress* (New York: Macmillan Co., 1941), pp. 413–16, 426. For the enclosed letter, which circulated in a number of printings and a German translation, see Evans, *Am. Bibliography*, nos. 16,558–16,561, 43,712; and Clifford K. Shipton and James E. Mooney, *National Index of American Imprints through 1800: The Short-Title Evans*, 2 vols. (Worcester, Mass.: American Antiquarian Society, 1969), 2:887.

For an error concerning the foreign debt in a number of the copies of the enclosed circular letter, see Jay to Certain States, September 17, 1779.

James Lovell to John Adams

Dear Sir 14 Sept. 1779

Your favor of Aug. 4 came yesterday to hand with the Pamphlets.¹ If the Chevalier² does not take his Bias at Bethlehem or Easton where he is to be documented 2 or 3 days, I shall continue in the hopes which your good Judgement has inspired.

We have indeed had a stormy Time; and some Villains, I guess wanted to get hold of the Helm & the main Stays at a critical Moment.

We are going to tell S she may have the Fl—as³ before she asks, and we shall be too bashful ever to tell her we wish to get at the hundred of thousands of Acres of Virginia *freely in Boats* by that River on whose Banks they lay.⁴

The *dull* letter you mention has been received,⁵ and I believe wished never to have been written, by the poor Drudges in the Secretary's Office who are called upon for Copies by every lazy Member, and I assure you that is more than the sanctified Number 13. It would have been better for W H D,⁶ if he had been of the Class; but he did as does another whose broken Constitution is at this minute wishing pen & ink banished from his Sight for a month.

I have sent the Journals to your Family and shall continue the Numbers as they come out. By way of *small* politics; I send the Copy⁷ of a rough *Copy in part* of Something I sent you when we were stumbling in the dark about Ultimata.

RC (MHi: Adams Papers). In Lovell's hand, though not signed.

¹ This was apparently a private letter to Lovell that has not been found.

² That is, the chevalier de La Luzerne, the new French minister to the United States.

³ That is, Spain and the Floridas.

⁴ Congress had been debating terms for negotiating with Spain over control of the Floridas and navigation of the Mississippi River. See Henry Laurens' Notes, September 9–17; and John Fell's Diary, September 10–11, 1779.

⁵ Lovell is referring to Adams' August 4 letter to Congress, which had been received on the 20th. See Lovell to Adams, August 20, 1779.

⁶ William Henry Drayton, who had died on September 4.

⁷ Lovell's enclosure has not been identified.

Nathaniel Peabody to Meshech Weare

Honrd. & Dear Sir No. 6. Philada. 14th Sepr. 1779.

By yesterdays Post I had the pleasure of Receiving your kind favour of the 31 ulto—am much obliged by your Care to Send forward my letter to Mrs. Peabody.¹ The *disagreeable* affair of Penobscott, and the distress our brethren have Suffered in their flight from that place has Sensibly affected me. But however *disagreeable* this Circumstance, yet I think the present Campaign has, hitherto been favourable on our Side, and every day adds to our Strength, or in other words these United States, whose begining was Small, Like the House of David has waxed Stronger & Stronger, whilst our foes like the House of Saul have waxed weaker & weaker—Till I hope we have little to fear from them Especially, Since the full & open Declaration of the King of Spain, against our Enimies, Published a few days after the Manifesto, And the firm & fixed determination of our Allies, we have nothing to fear but a want of wisdom and integrity, in Council, & Virtue in the Citizens. Congress are takeing every measure in their Power to Appreciate our Currency, Lessen the Public Debt, & prepare for a vigorous opposition to our Enimies, or a happy & Glorious Peace, as the Book of fate Shall determine. Mr. Langdon whom you mention in your Letter is *also* among us. And of

Course Mr. Whipple, who is at present unwell will, as Soon as able, Set off for home.

The Letter from the Committe of Safety of the 28th ulto. directed to Mr. Whipple & inclosed to me, I have deliverd. Please to give my best Regards to the Committe &c and believe me to be with the most intire Consideration of Respect, Your most obedient, & very Humbl Servt.

Nathl Peabody

P. S. You will Soon Receive an Estimate of our public Debt & other material papers upon finance.

RC (Nh—Ar: Weare Papers).

¹ Peabody's letter to his wife has not been found.

John Armstrong, Sr., to Anthony Wayne

Dear General

Philada. 15th Sepr. 1779

I consider you now, as your friends and fellow Citizens generally do, a favourite in the dispensation of great & brilliant events, which the Supream Agent so sparingly bestows even on Soldiers of the first natural firmness. Once in an age or in the course of Some great revolution, Heaven marks out some particular leader for an acquisition like yours, at Stoney-Point—Not for the agrandizement of the individual or making a feeble insect mad (for you know the fraillties of our nature) but rather for the illustration of his own Will, and approbation of the cause he has vouchsafed to espouse, is this luster thrown on the infant Arms of America. You will then ask what share of these distinguished honors belong to you, I answer enough, and more than your feeble Shoulders or the mind of any Soldier on earth is able to bear without the same aid that first led you up to the charge, *but aid operating in a different manner*—nor is there less heroism & true magnanimity requisite in supporting under & properly improving such signal honor attended with her infectious train, than that which possessed the breasts of your brave little Army when contrasted to every impliment of death!¹—greater is he who ruleth his own Spirit under every temptation than he who taketh a City. I have on purpose defered this Short congratulatory letter Old fashioned as I designed it to be, in order that time might be given for the evaporation of such ariel particles as generally mix with these of modern complexion, and whilst I rest assured of your candid construction I beg you to believe the high Sense I am happy to possess of the Obligations of the publick to your merit & that of your gallant assistants—and that I am with every Sentiment of gratitude & esteem, dear General, Your Affectionate friend and humbl Servt.

John Armstrong

[P. S.] Permit me to recommend the bearer Captain Campbell² who will relate to you his Situation for your advice & good Offices with his Excellency—on whos behalf I shall also write a line³ to Genl. St. Clair. Also to recommend Major Swaine⁴ Brotherinlaw to Genl. Muhlenberg who doubtless will be Obligated by yr. advice, being appointed the State Cloathier for the Pennsylvania Line of the Army.

RC (PHi: Wayne Papers).

¹ At this point Armstrong inserted an asterisk, to which he keyed the name "Solomon" at the foot of the page.

² Perhaps Capt. Robert Campbell, of the Invalid Corps, who had lost an arm and was taken prisoner at Staten Island in August 1777. Campbell had escaped in August 1778, but the question whether he had been a prisoner on parole had been raised and he was seeking clarification of his status and a possible exchange for a British officer of equal rank. See Washington, *Writings* (Fitzpatrick), 16:337, 361. A September 22 letter from Campbell to Washington is in the Washington Papers, DLC.

³ Not found.

⁴ Francis Swaine, who was married to Gen. John Peter Gabriel Muhlenberg's sister Anna Maria Catherine, and was formerly adjutant of Muhlenberg's 8th Virginia Regiment.

John Dickinson to Caesar Rodney

Sir,

Philadelphia Septr. 15th, 1779

By a late Letter from the Board of War it appears, that they *despair* of being able to provide Cloathing for the troops. The several States will be depended on by Congress for the necessary requisite for their respective Lines.¹ I therefore think it my Duty to give You this Intelligence, as I do not doubt but *immediate* and *effectual* Measures will be taken in our State, for comfortably cloathing our worthy & brave Officers & Soldiers.

I am, Sir, your very hble Servt.

John Dickinson

RC (NN: Rodney Letters).

¹ Dickinson is referring to the Board of War recommendation adopted by Congress on September 10 "that each State should provide cloathing for its own quota of [Continental] troops." *JCC*, 15:1044–45.

John Fell's Diary

Wednesday Sept 15th. 1779

Commercial Committee. Congress. After reading the Journals, the Delegates moved for their motion made Yesterday to be Enterd¹ which caused a long debate on Point of order, and I not being well I left Congress.

MS (DLC).

¹ Fell may be referring to the motion made by the Virginia delegates that he had recorded in his diary entry of the preceding day. The journals contain no mention of the new motion or the "long debate."

Samuel Holten's Diary

[September 15–16, 1779]

15. Wednesday. I met the medical committee at evening. Very cold.

16. Thursday. Mr. Gerard came to take leave of us, but we were all from home. The weather is cold.

MS (MDaAr).

John Jay to George Washington

Sir, Philada. 15th Sept. 1779.

Congress have by a Resolution of which the enclosed is a copy confirmed the Arrangement of the Officers of the Massachusetts-line, & directed Commissions for them to be issued accordingly.¹

I have the Honor to be &ca.

LB (DNA: PCC, item 14).

¹ By the enclosed resolution of September 6, Congress had confirmed the recommendations on seniority in the Massachusetts line that Washington had submitted in his letter to Jay of August 5, 1779. See *JCC*, 15:1033; and Washington, *Writings* (Fitzpatrick), 16:33, 51–53, 261, 332.

John Jay to George Clinton

Dear Sir Philadelphia, 16¹ September 1779

Your Favor by Mr. Phelps has arrived.² I approve much of your Resolutions respecting Vermont. It is a Pity they had not taken Place two Years ago. There were committed;³ a Report I *⟨am told will⟩* believe will be made To Day or Tomorrow *⟨whether it will be sufficiently explicit or pass in its present Form⟩* is uncertain. My Endeavours [to] render it proper neither have or shall be wanting.

⟨I am now in Congress and a very extraordinary Vote has this moment passed.⁴ The Proprietors of Indiana and Vandalia, claiming a Right to the Sovereignty and Soil of a Tract of country which Virginia says is within her Lines petitioned Congress to interpose in their Behalf. On reading the Petition separate Independent Government by Virtue of certain Acts of the British King and Council previous to our Independency.⟩

My Resolution to resign the Office of Chief Justice was taken after much Deliberation and Thought on the Subject.⁵ I have since frequently examined the Reasons which influenced me to that Measure, and still remain perfectly satisfied with them, as there is therefore no probability of a Change in my Opinion, it will be unnecessary to detain my Resignation any longer from the Council of Appointment. The Legislature may perhaps in Consequence of this Step incline to keep me here. On this Head I must inform you that the Situation of my Fathers Family is such that I cannot longer reconcile it to my Ideas of filial Duty to be absent from them unless my Brother should be so circumstanced as to pay them necessary Attention. The enclosed Letter to him is on that Subject,⁶ and I have desired him in Case he cannot undertake to have his Father and Family almost constantly under his Eye, to prevent my Election. The Determination therefore on this Point will govern mine. Should he not be at Kingston be pleased to send the Bearer with it to him.

FC (NNC: Jay Papers). Jay, *Papers* (Morris), pp. 635–36.

¹ Jay originally wrote “14” and then redated the letter “16.” For this redating, see Jay’s second, deleted paragraph, which concerned proceedings of the 14th.

² Clinton’s September 1 “Favor by Mr. [Charles] Phelps,” in which the governor had asked Jay to “defer delivering in your Resignation [i.e., as *Chief Justice*],” is in Clinton, *Papers* (Hastings), 5:251.

³ *JCC*, 15:1036. The New York legislature’s resolutions of August 25 and 26 “respecting Vermont” and related August 27 instructions to the state’s delegates, which were laid before Congress on September 8 and referred to committee, are in *PCC*, item 40, 1:297–308.

⁴ See *JCC*, 15:1063–65.

⁵ See Jay to Robert R. Livingston, August 18, 1779.

⁶ The enclosed letter to Frederick Jay is in Jay, *Papers* (Morris), p. 637.

John Jay to Robert R. Livingston

Dear Robert

Philadelphia 16 Sepr. 1779

I have recd. your favors by Mr. Phelps & Doctr Tillotson.¹ Mrs. Montgomery arrived Yesterday.² We were very agreeably Surprized, and shall endeavour to render Philadelphia as agreeable to her & the Doctr. as possible.

My Resolution to resign the Office of Chief Justice, was taken after the most mature Deliberation, & for other Reasons than those alluded to in your Letter. You will be pleased therefore to consider that Resignation as absolute, and to deliver it to the Governor.³

I am now writing in Congress and therefore can by this opportunity say little. My Consent to remain in the Delegation depends on the following Contingency—If my Brother will be so circumstanced as to be able to pay constant Attention to my Father & Family, I have no objection to remaining here—but should that not be the Case, my Feelings will not permit me to be longer from him. I perceive the

Consequences of this Step. It will carry out of the Road of ambition, which at present is flattering. It will also be very unfriendly to views of Interest, I having it now in my Power to provide handsomely for myself. But as I wish to have Property in the other world as well as this, and my views of Ambition extend beyond this Life, I shall invariably pursue the Dictates of what I may think my Duty, wheresoever they may lead me. I have written to my Brother Fredk. on the Subject— I presume he is with the Legislature. His Resolution will determine mine. Should he explicitly agree to attend to & be with the Family—I will chearfully remain where I am—if not be pleased to prevent my Election.

I am Dear Robert most sincerely, Your Friend, John Jay

[P.S.] Our best wishes to Mrs. Livingston & the Family.

RC (NH: Robert R. Livingston Papers).

¹ Charles Phelps and Thomas Tillotson, the husband of Livingston's sister Margaret.

² Livingston's sister Janet Livingston Montgomery, the widow of Gen. Richard Montgomery.

³ See Jay to Livingston, August 18, 1779, and the preceding entry.

James Lovell to Benjamin Franklin

Honble. Sir private Philada. Sepr. 16th. 1779

On the 30th of Augst. I received yr. favr. of June 2d¹ with the ministerial Paper containing Mauduit's Speculating And, since that, several Pamphlets wch. came under the Care of Chevalr. de la Luzerne and, I think, under a Superscription in yr. Grandson's handwriting, have reached me. I am sure, Hartley is stumbling only over a Mistake about the eventual Alliance.² It is now in Vigor. It is defunct of Course upon a Peace, except so far as a Guarantee of the articles of that Peace. And there can be no Sincerity in any pacific Compact of Britain if she is not willing to have it guaranteed to us. He is more mistaken in his Idea of a distinction being *yet* in Vigor here, between the ministry & People of Britain. A short Space of Time will probably produce for his Perusal a solemn Vow & Compact not only of the Delegates in Congress but of the whole Legislatures of the Union, never, *never* to form even a commercial Treaty with Great Britain. It was indeed once held out here, for political Purposes in the days of our Irresolution, that this was not a popular War in England. But it is not now at all necessary to disguise the Certainty that from the Tyrant George down to the Shoe and Soot Boy there is a proud desire to be yet able to say "*our Colonies.*"

I have sent you so many Setts of the Journals of this year that I now only convey additional Numbers to compleat those Setts I send you also 1777. I shall particularly press what you say to me of Pacquet

Boats.³ The Navy Board at Boston write to me in the same manner.
 I am, Sir, your most humb. Servt. James Lovell

RC (PU: Franklin Papers).

¹ Franklin's June 2, 1779, letter to Lovell is in PCC, item 102, 4:155–56; and Wharton, *Diplomatic Correspondence*, 3:199–200.

² Franklin's old friend David Hartley, who had long nurtured hopes for a reconciliation between Britain and her former colonies, saw the Franco-American alliance as a barrier to opening negotiations.

³ Franklin had urged the establishment of a regular packetboat service between France and America.

James Lovell to Horatio Gates

Dear Sir

16 Sept. 1779

By last post I received a few lines from you without date relative to the persecution of the name of Lee, the *fortunate* Event at Penobscot, and the farcical Escort of the Sergeant who made the wonderful discovery of the good fortune of a total overthrow. I am chagrined to death for the Council and for the military Commanders by Sea & Land.

I delivered to Mr. Nourse the Letters for Mrs. G——. I have from Mr. J. Adams & Arthur Lee such a Character of the New fr[ench] minister as makes me not care who has the first Interviews with him. He can & will judge for himself and will especially take Care not to ally himself with dirty Schemes of money making which others have been entrapped at least to appear to patronize.

I am urged by Col. Byard the Speaker of the Assembly of this State to endeavor to promote with you the Success of the Endeavors of Mr. Hugh McCuller to regain one of his 3 fugitive negroes who is on Board of Talbot's Vessel Argo. The Black's name is Thos. He is about 24 years old and eloped from his master about the middle of Sepr. 77 when the Enemy was at Willmington. I am and always have been averse from the African Trade; but that does not influence me in the present and such like Cases. The Gentleman has suffered largely as a good Whig and I sincerely hope he may recover his Property in this Instance. Clark and Nightingale will have the particular Proofs of Mr. McCuller's Claim & will apply to you for your Countenance upon their Prosecution of it.

I verily believe that Rh. Island will be evacuated by the Enemy,¹ as their Reinforcement has proved so small from Europe. If your honor is saved this Campaign you return thanks to the Folly & Weakness of yr Enemies rather than to the Skill & Providence of those who *ought* to be yr. Friends. Affectionately,
 J.L.

RC (NHi: Gates Papers).

¹See John Collins to Gates, August 6, 1779, note 1.

Henry Marchant to Horatio Gates

Dear Sir,

Philadelphia Sepr. 16th 1779.

While I can congratulate You on many auspicious Events, I have to deplore the heavy Misfortune to New-England in particular, & to America in General at Penobscot. It seems that our People were fascinated and charmed into their Destruction. I rejoice however, & have recd. some Consolation, that Jacksons Regiment, obtained Knowledge of the Misfortune time enough to reland and save themselves from that Destruction which seemed almost certain for them—I have been much alarmed at Your Situation; but hope that Regiment has by this, returned to your Post.

Inclosed you have a Letter from Mr. Lovell on the Subject I presume of that contained in the Letters addressed to Mr. Clarke, and Messr. Clarke & Nightengale. Mr. Hugh McCullough of this City and (as I am informed by the Delegates of this State & others) a Gentleman of good Character and firmly attached to our Cause, had the Misfortune some Time past to have a Negro Man which he values highly, run away from him & join the Enemy—And he has discover'd that by some Means or other he at length got to the Eastward, and pretending to be free, shiped on Board Lt. Colo. Talbot Comr. of the Argo. This Discovery Mr. McCullough did not make till after Colo. Talbot had sailed from Egg Harbour. He has now sent Letters &c. to Messrs. Clarke & Nightingale to recover his Negro—And requested that I would state these Facts to You. If they are true as I doubt not they are—I doubt not you will do every Thing that may be proper on the Occasion.

Monsr. Gerard takes Leave of Congress to morrow in a private Audience. We instantly expect Count De Luzerne. I hope to find him a Gentleman made by Heaven for his important Mission. Would to God Our Ministers or Comrs. were or had been all—so.

I have not Time to add, but that I am with great Truth your Friend & humble Sev.

Hy Marchant

RC (NHi: Gates Papers).

Samuel Holten's Diary

[September 17, 1779]

17. Friday. Mr. Gerard Ministr. Plenapot. of France took formal leave of Congress. It is said C. Estaing's off the coast.

MS (MDaAr).

John Jay to Certain States

Sir,

Philada. 17th Sept. 1779.

With my letter of the 14th Inst. was enclosed a copy of a circular letter from Congress to their Constituents. In that copy there is a mistake in the amount of the ballance of our foreign debt; instead of two it ought to have been four millions of dollars.¹ This Error was yesterday observed & corrected by Congress. The enclosed copy is correct.

I have the honor to be, With great Respect, Your most Obedient Servant.

LB (DNA: PCC, item 14). Addressed: "To Governor Clinton. N.B. The same to Govrs. Trumbull, Greene, Powell, & Weare [i.e., to New York, Connecticut, Rhode Island, Massachusetts, and New Hampshire]."

¹ See Jay to the States, September 14, 1779, note 3; and *JCC*, 15:1052.

John Jay to Ernst Ludwig de Widdersheim

Sir,

Philada. 17th Sept. 1779.

You will perceive from the enclosed copy of an Act of Congress of the 16th Inst, that altho' Congress entertain a proper sense of your Offer to enter into the service of these States, yet it is impracticable to employ You in the line of the Army consistent with the Arrangement thereof.¹ The Documents & Certificates which accompanied your Memorial are herewith enclosed.

I am Sir, Your most Obedient and very Humble Servant.²

LB (DNA: PCC, item 14).

¹ A memorial from "Ernst Ludwig de Widdersheim, Major in His Majesty the King of Danemarck's Service," was received by Congress on September 13 and referred to the Board of War. Congress adopted the board's recommendation that Widdersheim's offer of his services to the army be rejected, but ignored their suggestion that he be provided expenses to return to Europe. Having no means to return home, Widdersheim petitioned Congress for such a grant on September 22, which was ignored, but when he submitted a third memorial on October 29, Congress immediately ordered the Marine Committee to provide him "passage to Europe by the first opportunity," a decision that Pres. Samuel Huntington transmitted to him in a brief letter of the same date. See *JCC*, 15:1048, 1070-71, 1104, 1219; and PCC, item 14, fol. 217, item 41, 10:391-98.

² This day Jay also wrote the following brief letter to John Boreman. "I have the pleasure of transmitting to you herewith enclosed an Extract from the Minutes of Congress of Yesterday from which you will perceive that you are appointed Pay-Master for the Western District in the Room of Mr. John Baynton resigned." See *JCC*, 15:1071; and PCC, item 14, fol. 187.

Henry Laurens to John Laurens

My Dear Son,

Philadelphia, 17 September 1779.

My last Letter to you is dated the 31st July—my silence in the mean time has been owing to that uncertainty in which I have been held respecting your continuance in So. Carolina, every body who came from thence assured me you were determined to come this way very soon, as I remain in the same disagreeable state of suspense I should not have written to you now, had I not been charged particularly with a Letter from your friend Colonel Hamilton,¹ that Letter accompanied by two which I suppose to be from St. Mary Axe,² your Letter intended for Mr. Hutson & one for Mrs. Petrie you will receive under the present cover.

I must refer you as usual to Mr. Gervais for News, but I may add, we have just recd. advice from Boston that our Frigates Boston & Deane had captured a Copper bottomed British Sloop of War; the Sandwich Packet bound from New York to Falmouth; a Vessel with 150 Pipes Wine from Madera; these safe in Port. Two New York Privateers of 10 Guns each, a very Rich Ship from Glasgow for N York & one or two other Vessels—these not yet arrived, on board the Glasgow-Man was a Box containing complete apparatus for counterfeiting our poor Dollars, which had been thrown overboard & recovered. Major Gardner, he who was on Port Royal Island, was taken in the Packet. You will probably see all these circumstances more particularly marked in Dunlap's Paper to morrow, I shall be early enough to send one of them.

If I do not hear from you in a few days I beleive without further waiting I shall set out for Charles Town altho my own inclination to pursue duty at this very critical juncture & the request of my friends press me strongly to remain here a little longer.

I pray God to bless You,

Henry Laurens.

[P. S.] I should inform you Jack Hamm is here a prisoner in the Character of a common Seaman, I am afraid he has forfeited *all Character*.

RC (ScHi: Laurens Papers, no. 34).

¹ Probably a letter from Alexander Hamilton to John dated "West Point, Sept. 11 1779," which is in Hamilton, *Papers* (Syrett), 2:165–69.

² The London address of John's wife, Martha Manning Laurens.

James Lovell to Arthur Lee

Dear Sir (Private)

Philada. Sepr. 17th 1779

I have written very frequently to you, but have no Copies of the Emanations of my friendly Attachment to your merits as they have

at those Periods appeared on paper. But the Nature & especially the sincerity of them may perhaps be better judged of by seeing what I wrote to your Non Amicals. I find that a Mr. Cummins and a Mr. Smith have been taken. By the latter I wrote in a private Capacity to all three of the Commissrs. but have only a copy of one to Dr. F—— and perhaps never sent a copy of that before this day.¹ I have ordered the Bearer of this Scrawl to deliver one to you marked 4 if you are in France, if not to break the Seal and deliver the inclosed as directed. If it comes into yr. hand, break the Seal and you will find a second Envelop properly directed, to which you may put a *Wafer*. If you do not get that Proof, take my Word for it that what little Health I have left unsacrificed by 17 months Imprisonment & 33 months Drudgery here, shall be exerted on every necessary occasion to defend your Name & Character against villainous Attacks, the Spirit for which, however, has long ago become despicable.

Your Choice from Salust of a Motto for one of yr. *Friends* came too late almost, for in a few days after my Receipt of it, *quietus* took absolute occupancy of *turbidus inquietus atrox*.² Don't start at the Expression of my Receipt; but know that upon reading a Letter for R H L or F L L or J L³ I broke every Seal and by the Advice of yr. hearty friends Mr. Laurens, Gen. Whipple & others, presented the Defences, Replications, Remarks & their Vouchers, not keeping back the last half Sheet wch. contained an *a fortiori*.⁴

*A paper unsigned, among Mr. A. Lee's Dispatches, read Sepr. 2d.*⁵

This was a Course of Observations upon the Correspondence relative to yr. *joint* papers.

The Remarks upon the Employment of W——s⁶ are at hand whenever that Business shall be taken up, as also are Letters between JA and Ct. V—g—ns.⁷ Mr. A's Testimony in Regard to you & yr. two Brothers is manly as well as just.

No Step is yet thought necessary with regard to the Affair of Sergeant & Ingersol,⁸ or that of evacuating the Post mentioned by you. The moving of the Waters are closely watched.

I find by a Letter this day recd. from my friend Genl. Warren of the Navy Board Boston that some Justice of Peace in the Jerseys has rudely opened Letters for you & Mr. Schweighawser going from me to his Care by a Boston Gentleman who did not think of taking a *Pass* with him:⁹ better so than to be opened by some such as you and I know who are no *Justices*. I believe the Letters were from R H L covered by me to Schweighauser for the Sake of telling him that I shou'd ward off the arrows of the assassins of his Son in Law's Character when any of them fly this Way. They come from awkward tho practiced Bowmen.

La Luzerne does not speak English. I shall naturally be led to more Intercourse with him than his Predicessor, from that Circumstance. You see how S A & I are marked in the *Company-Thing* of Paca & Drayton,¹⁰ doubtless the latter tale bore many of our Hones-

ties from the State House to the Hotel; but I cannot say that I ever discovered a consequent Manifestation of Dislike. Those Browbeatings however are never practiced against manly Indifference. Perhaps it would have been better if several of us had not, from an aversion to even the appearance of Sycophancy, left a Stranger without proper Warnings against that insidious Class. Ford has not been here. You know by my Letters of April¹¹ that he was judged by the State of Virginia to be not fit to be near the Person of an American Commissioner. R H L has been greatly indisposed but is mending now in his Health. I doubt whether you will by this opportunity know any thing decisive of our opinion respecting the 2 Spanish points of negociation; but you may depend on it that we are disposed to do every Thing to cement a triple Alliance whenever Spain shall signify her Wishes through you or other regular Channel. The Floridas are not ours; they belong to our Enemy. A free Navigation of the Miss'pi. is to be wished for but cannot be claimed if S——¹² owns both Banks near the Mouth though millions of Acres of Virginia lay also on the Waters of that River higher up.

Are you so munified with orders from the State of Virginia that if a Vessel with Goods sent by you for that State should be lost you will not be made to bear the whole burden? I have been told such a Thing is whispered here. Pray be on yr. Guard. Caution is what an honest Man may condescend to learn from Rogues.

I must endeavor to speak a good Word for Daddy Dumas.¹³ He has been very particular in the margins of the Leyden Gazette Feb. 23 to write where it respects you. "Je nai aucune part a toute cette insertion; & je n'ai pu la voir qu' avec affliction". I should think he would not hesitate to tell the author of that rascally Paragraph which is in the Gazette of March 30. How wou'd the Refusal consist with his written profession above mentioned? You have had an abandoned set at your Elbow to watch over. And you made some here very rancorous at the first of yr. Correspondence. I never cou'd find by the Books of the Comtee. who the two were that you was mistrustful of.¹⁴ The Letter Book is not signed, so as that I can see who were 2d & 5th. It will not do to take them as they stand on the Journals when elected. But if Complaisance put Franklin in the Chair I get Harison & Jay. You also once said something about Mr. Duane's Servant. An Attempt was made to embitter the Mind of Govr. Reed who happened to be a Member of Congress when the Dictionary came to light. But Mr. Reed says you did your Duty well.¹⁵

Something in yr. Letters to the Comtee was in Cyphers. *Merryweather Smith* decyphered it readily otherwise I must have sent it on to Virginia to yr. Brother. I know that R H L thinks *that* mode is *now* as useless as if *Deane* knew it; need I say more? I think it would be clever to have a Cypher in Comtee, but not to be also used to your Brother or yr. Friend; those should be distinct ones. We have never yet got but one Treaty printed in French by Authority. I mean one

of Each which I gave to the Secretary's office. I wish to own them myself.

Why should you and I fret at a Man's putting up in his Chamber the Bust of Cataline or any other Rascal, if he leaves us at Liberty to place in ours Cato, Hampden or Adams?

If yr. Brother and Mr. Izard are near you deliver the Letters for them inclosed.¹⁶ I am not become enough acquainted with those Gentlemen to scrawl away freely & carelessly to them my Resentments at the manner in which they have been treated by private Information or public Decissions. I Esteem them both as fast friends of America and Mankind at large.

I before informed you that some wiseacres affirm that a Comtee for Correspondence is useless. I have no Clerk, the Papers of the former Office lay at Random, and I am determined they shall be preserved in due Arrangement, therefore you will believe me when I say I am overplied with affairs. I fear losing a convenient Occasion of getting my Packets to the Ship if I do not now close; but will if necessary take up my Pen again before she sails to give you Information and fresh Assurance of my being, Dear Sir, your Friend and very humble Servant,

James Lovell

RC (MH-H: Lee Family Papers).

¹ See Lovell to Benjamin Franklin, April 29, 1779.

² Lovell was undoubtedly referring to Arthur Lee's use of this phrase, in reference to William Henry Drayton, in a letter to his brother Francis Lightfoot, as reported by their brother Richard Henry Lee. "In a letter from Dr. Lee to my brother F.L.L.," Richard Henry wrote to Henry Laurens on September 5, "is the following paragraph 'I expected W.H.D. would take precisely the part he has. His character is too much of the Catilinarian cast, for him to remain long among honorable men. *Turbidus, inquietus, atrox*—he should be always dealt with as one, who, tho your friend to day, may betray you tomorrow. But I am mistaken if his state dont put a mark upon him'." Lee, *Letters* (Ballagh), 2:146–47.

³ That is, Richard Henry Lee, Francis Lightfoot Lee, and James Lovell.

⁴ Concerning the "half-sheet," see Lovell to Richard Henry Lee, August 28, 1779, where he informed Richard Henry that he had presented Arthur's letter to Congress "without cutting off the last leaf."

⁵ See *JCC*, 15:1016.

⁶ Jonathan Williams.

⁷ That is, John Adams and the comte de Vergennes.

⁸ Arthur had suggested to his brother Richard Henry that Jonathan Dickinson Sergeant and Jared Ingersoll be consulted about a libel suit against Silas Deane for Deane's public attack on him of December 5, 1778. See Lee, *Letters* (Ballagh), 2:143–44.

⁹ See Lovell to James Warren, August 13, 1779.

¹⁰ See Lovell to Samuel Adams, August 12, note 2.

¹¹ Not found, but for the return to America of Lee's former secretary Hezekiah Ford, see Lovell to Abigail Adams, August 11, 1779, note.

¹² That is, Spain.

¹³ Charles W. F. Dumas, agent of the United States in the United Provinces.

¹⁴ Lovell was clearly referring to Lee's statement in his February 13 and 14, 1776, letters to the Secret Committee: "I received a few days since yours of the 30th November, 1775, informing me of the appointment of a secret Committee. I am sorry, however, to say that the second and last upon the list are men in whom I can

not confide, and I am not a little surprised that it should so happen that these two men are upon such a committee, while others are omitted with whom I am known to be in habits of communication and confidence." Wharton, *Diplomatic Correspondence*, 2:76–77.

The committee members were listed in the journals in the following order: Benjamin Harrison, Benjamin Franklin, Thomas Johnson, John Dickinson, and John Jay. *JCC*, 3:392. Lee may have been referring to Franklin and Jay, although Lovell suggests further on that Lee had in mind Harrison and Jay.

¹⁵ For the attempt "to embitter the mind of Govr. Reed," see these *Letters*, 10:457–60.

¹⁶ These were duplicates of the Committee for Foreign Affairs' letters to Ralph Izard and William Lee of July 17, 1779.

Marine Committee to Benjamin Franklin

Gentlemen

September 17th 1779

We have received the honor of yours of the 3d June last to which we shall now reply.¹ We are sorry for the trouble which you have had with the Conspirators belonging to the Alliance, and at this time can think of no better method of disposing of them than Sending them out to this Continent by different Vessels proportioning the number to each Vessel, so as not to render it dangerous or inconvenient; and upon their Arrival if Sufficient evidence can be had it is our intention to bring them to trial by Court Martial. We are perfectly satisfied with the manner in which you have disposed of the Alliance, and have strong expectations that the little Squadron under Captain Jones will by their Success furnish Ample funds to repay All the Disbursements that have been made for that ship.

Although we are fully sensible of the perplexity which you have already had in transacting our Maritime business & of the impropriety of taking up your time from affairs of more general importance, when Consuls should be appointed at the several seaports & provided with funds for that purpose, yet the necessity we are now under of furnishing the sr. Gerard with A suitable ship to carry himself & family to France obliges us once more to trouble you by committing the direction of that ship to your care having at present no alternative—Assuring you that we shall use our endeavours to make it the last of the kind. This Ship is called the Confederacy, mounts 36 Guns, commanded by Seth Harding Esqr. who we have Ordered, on his Arrival, to transmit you a state of his Ship, and to be governed in All things by your orders as you will perceive by the enclosure. We have in veiw that this Ship on her return should bring back as much Military Stores for the use of our Army as can be provided in time so as not to detain her or incommode her as a Ship of war which we request you will order Accordingly and despatch her as soon as possible. As it is probable that the Captain, Officers and Crew will stand in need of some Supplies of Cloathing and (As they have wages due to them) a little money, we request that you will

Order them advances to be made, but with a sparing hand. We have the honor to be, Your Excellencys, Very Hble servants

P. S. We have the pleasure to inform you that our frigates have lately had very great Success, having among many other Captures, taken ten homeward bound Jamaica Men fully laden and two packets One Outward and the Other homeward bound—For particulars beg leave to refer you to the Papers.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ In this June 3 letter, which was misdated June 2, 1779, in Wharton, *Diplomatic Correspondence*, 3:201–2, Franklin had reported a mutiny aboard the frigate *Alliance*, “which you were pleased to put under my orders. There has been a conspiracy on board,” he explained, “to seize and run away with the ship to England. Thirty-eight of the crew concerned in the plot were brought in under confinement, and the captain was much embarrassed with them and suspicious of many more. We could not try them here for want of officers sufficient to make a court-martial. The French admiralty could not take cognizance of their offense. The captain objected to carrying them back, as both troublesome and dangerous. In fine, we got leave to land and confine them in a French prison, where they continue till further orders.” PCC, item 168, 1:683–86.

Marine Committee to Seth Harding

Sir

September 17th 1779

The Ship Confederacy under your command being destined to carry His Excellency the sr. Gerard Minister Plenipotentiary of his most Christian Majesty and his Suit to France, you are to receive them on board and immediately set Sail making the best of your way to any Port which the Minister may think proper to direct and on your passage you are carefully to avoid coming to action with any vessel of equal or superior force. Your Ship being entirely designed for the Accommodation of the Minister you are in all things as far as may be, to comply with his wishes and to treat him with the respect due to his character.

On Your Arrival in France you are to forward to his Excellency Benjamin Franklin Esqr. Minister Plenipotentiary of the United States at the Court of Versailles the Letter Given you herewith together with a state of your Ship who will give you orders for your government, you are to apply to the American Agent in the Port at which you arrive for Such necessarys as may be wanted and immediately proceed to give your Ship such repairs as may be needful fitting her again for the Sea with all possible dispatch. You are to take on board your Ship such Stores for the use of these States as may be offered by the Agents in France, so as not to incommode your vessel as a Ship of war and when you have received the Orders of our Minister you are immediately to make the best of your way back to this Port or into Chesapeake Bay, and if into the latter you are to inform us of

your arrival. As it is probable that you and your officers will stand in need of Some advances in France, we have requested our Minister to give Orders for that purpose and if necessary that your Crew have Clothing and a little Money in which we desire you will be very frugal.

Should you take any Prizes and Order them to france they are to be put under the care of such persons as our Minister may direct, and such Prizes as you may order to these States are to be directed to the Continental Agent of the State in which they arrive.

If you can procure a Set of good 18 Pounders when in France and you are of opinion that the Confederacy can bear them, you are at liberty to mount them & put those you have now on Deck into your hold. We desire you will be careful of the Confederacy her Materials and Stores and that you will not delay any time unnecessarily in France but be diligent for dispatch. Wishing you health & Success We are sir, Your Hble Servants

P. S. We have agreed that Major Scull & Mr. Williamson shall take their passage in the Confederacy and that Mr. Clarkson an Acting Midshipman on board shall have leave to stay in France for his education.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

John Jay to Marriot Arbuthnot

Sir, Philada. 18th Sept. 1779.

Your favor of the 30th Ult. was immediately on its arrival communicated to Congress, & by them referred to the marine Committee for the purpose of ascertaining the Facts mentioned in it. You will perceive by their Report a copy of which is herewith enclosed that You have been misinformed.¹

I am with due consideration, Sir, your most Obedt. Servant.

LB (DNA: PCC, item 14).

¹ In his August 30 letter to Congress, Arbuthnot, "Vice Admiral & Commander in Chief of the British Squadron in North America," had complained of the treatment of two British naval prisoners and asked Congress to "assign satisfactory reasons for this treatment that no improper retaliation may take place here on our part." The letter had been referred to the Marine Committee, which reported that the prisoners were not "in close and cruel confinement" as stated by Arbuthnot, and Congress immediately resolved to report this finding to the admiral. See *JCC*, 15:1037, 1075; and *PCC*, item 78, 1:313–16.

John Jay to Horatio Gates

Sir,

Philada. 18, Sept. 1779.

Your favor, transmitting the Intelligence from Mr. Proud, has arrived—a confirmation of it would give us great pleasure.¹ The enclosed for Capt. Talbot, contains an honorary Reflection in his favor, be so obliging as to transmit it to him.²

I have the honor to be, Sir, Your most Obedient and humble
Servant. John Jay. Presidt.

RC (NHi: Gates Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

¹ An extract of John Proud's September 5 letter to Gates, which Gates had enclosed in a letter of the sixth and General Washington had enclosed in one of the 12th, is in PCC, item 152, 7:759. *JCC*, 15:1072. Proud had reported from Rhode Island that 13 days previously Admiral d'Estaing had been sighted at "latitude of 25 & longitude of 70," with 25 sail of the line, 18 frigates, and 6,000 troops, steering northwest.

² See Jay to Silas Talbot, this date.

John Jay to Alexander Hamilton

Dear Sir

Phl. 18 Sept. 1779

Your favors of the 25, 26, & 30 July & 12 Inst ¹ have thus long remained unanswered. This Circumstance would naturally lead you to think me inattentive; others will induce you to ascribe it to a different Cause. Exclusive of Business which I never admit or urge as an Excuse for such omissions, want of Health has rendered me less punctual in my private Correspondence than I would wish. The approaching Season will give me Health & Inclination will always prompt me to support a Correspondence with those I value & esteem, in which number I have long considered you.

Your sentiments respecting the Gentleman named in your first letter perfectly correspond with my own ² and tho I wish to see him in a Situation agreeable to himself & distant from the Place of his Residence, I cannot prevail upon myself to propose his appointmt to the one you mention, which is daily growing into Confidence & Importance. My Doubts respecting this Gentleman are of long standing and arise from Circumstances which made deep Impression on my mind. I should never forgive myself if before these Doubts are removed I should recommend him to an office in the execution of which they should become fully justified. Our opinions of his Talents Disposition & Passions are the same & I am well apprized of the Consequences which wd. result from their being exerted to obtain the objects of his Pursuit. Some other mode of diverting them may perhaps offer.

I have seen, respected & pitied Monsr. Neuville.³ Considering how some of his Countrymen have been promoted, his feelings have

doubtless been wounded. His Pretensions however were rather too high, & could not possibly be complied with.

It gives me Pleasure to find that Fleury possesses your Esteem,⁴ it will add to the share he has of mine. He stands well with the Minister, & I have punctually seconded your wishes on that Head.

How far it would be proper or possible to connect him with an American Minister are Questions about which I am by no means clear; such a Step would have Conveniences, but at the same Time be exposed to several unpleasant Consequences. Republics are always jealous, seldom liberal, never grateful, and not always just, and yet I believe, all things considered, the least evil of all Governments. As to the Probability of my going abroad, it is very distant. It is one of the last things I wish for, not from any objections to the appointment simply considered would be agreeable, but from the Danger to which every Man's Reputation is exposed whose advancement would interfere with the views of the most intriguing unprincipled men I have ever met with; you know who I mean.

The Board of War are charged with Chevalier de Colombes affair, and will probably report in his favor;⁵ for my own Part I have ever been averse to giving Brevets except in very particular Cases; it cheapens us.

I am etc.

Hamilton, *Papers* (Syrett), 2:182–83. FC (NNC: Jay Papers). In the hand of John Jay.

¹ Only Hamilton's July 25 letter to Jay has been found. *Ibid.*, pp. 110–11. Since Jay's reference below to "your first letter" is to one of June 26, however, it may be that his reference here to one of July 26 is erroneous.

² In his letter to Jay of June 26, Hamilton had recommended Col. William Malcom for appointment to the Board of War. *Ibid.*, pp. 82–83.

³ Noirmont de La Neuville, whom Hamilton had also discussed in his June 26 letter. *Ibid.*

⁴ In his letter of July 25, Hamilton had recommended François-Louis Teissèdre de Fleury as one who had "an expectation" of being appointed secretary to the new French minister La Luzerne and that if Jay himself should be appointed minister to France, as rumored, Fleury would be valuable to him on a mission to France.

⁵ On September 24, Congress took up the Board of War's recommendation to promote the chevalier de La Colombe to the rank of major by brevet, but the measure failed to secure the nine votes required. See *JCC*, 13:216, 15:1102–3n.1.

John Jay to Silas Talbot

Sir,

Philada. 18th Sept. 1779.

The bravery & spirit of Enterprize You have on frequent Occasions displayed in the Service of your Country justly entitle You to the honor done You by the enclosed Act of Congress of the 17th Inst.¹ I am persuaded You will consider it as an additional Motive to continue those Exertions from which you have derived Reputation & your Country received Benefit.

With great Esteem I am Sir, Your most Obedt. & Hble Servant.

LB (DNA: PCC, item 14).

¹ For the "honor done" Talbot, see *JCC*, 15:1075–76; and Henry Marchant to Talbot, August 9, 1779, note 2.

Marine Committee to the Eastern Navy Board

Gentlemen

September 18th 1779

We have received your favour of the 8th instant¹ which came by Express and informs us of the arrival of the Deane & Boston frigates with their Prizes viz the Sandwich & Thorne Packets. If on full examination you find that those two Prizes are Suitable for the Public service as cruising Vessels, we desire that they may be purchased for that purpose on the best terms you can, giving us the most early notice thereof and fitting them with all expedition for the Sea.

In Answer to the other parts of your letter we deem it necessary to enclose You a Copy of what we wrote you the 7th instant least by any accident that letter should miscarry. We are Gentlemen, Your Hble servants

P. S. We expect no time will be lost in fitting out the Deane & Boston and sending them to Cruize with the other Vessels.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The board's September 8 letter to the committee is in the Eastern Navy Board Letterbook, NN.

Marine Committee to Okey Hoagland

Sir

September 18th 1779

We are favoured with yours of the 13th instant. As the Laws of your State¹ will not admit of any division being made of the Prize brig. Chance's Cargo the whole must be sold, and it is our desire that you will attend the sales and make purchase of the articles which we have directed, provided they are good in kind, and are sold upon such terms as that they will afford the Expence of transportation to this place.

If any purchasing Commissary should be at the Sales you may leave the purchase to be made by him.

We are sir, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ Hoagland was the Continental agent in New Jersey.

William Whipple to Richard Henry Lee

My Dear Sir

Philadelphia 18th Sepr 1779

When I did myself the Honor of writing to you last, it was my intention to tarry here till the latter end of next month, but the arrival of a second Colleague has altered my determination. I shall take my leave of this City to morrow,¹ but I must confess I shall not do it with the satisfaction I should if Verginia and some other States that might be mentioned were Representd in the manner I have known them.

It affords me particular satisfaction to find by your favor of the 4th inst. that your health is restored.² I hope your influence will make some beneficial changes in the politics of Virginia. I am sure your endeavours will not be wanting, and I am very sure you are convinced of the necessity of changing men if not measures. If there is as much Virtue and Integrity in a certain Assembly as formerly, there certainly is a Languor, a want of Resolution, to oppose vice, and stem the torrent of corruption that at this time threatens ruin to America, but I hope that persevering Spirit which heretofore faced every difficulty and looked all opposition out of countenance, will again revive and scatter the Cloud that now hangs over us.

I expect my retirement will afford me a satisfaction impossible to be enjoyed in Philadelphia but however happy my scituation may be, it will ever be increased by hearing of the prosperity and Happiness of those worthy Patriots who first stepped forward, braved every danger & combated the greatest difficulties and by their Virtuous Struggles and unremitted exertions have thus far rescued their country from the hand of Tyranny.

Some of your Friends particularly Mr. Laurens & Mr. Lovell will give you an accot how matters are going on here, these Gentn. I need not tell you, are real Friends to virtue and consequently to those devoted to the cause of virtue. I must approve Dr Lee's intention to come to this Country when the Spanish business is concluded. I think it necessary he shod. have a fair opportunity of puting to shame those base assassins whose malice is wrought up to the highest pitch by a consciousness of their own inferority. If he lands in New-Hampshire I am confident he will be received with the Respect due; and in some measure proportioned to his merit. I shall be particularly happy in having an opporutnity of manifesting my Gratitude for his services to America.

Notwithstanding the great distance between us, I shall flatter myself with hopes of some times receiving a line from you & You may be assured I shall omit no opportunity of communicating whatever I think will give you pleasure. Please to Remember me very affectionately to Coll F. Lee.

I am My Dear Sir with the highest Esteem and Respect Your
Sincerely Affectionate Friend, Wm. Whipple

RC (PPAmP: Lee Papers).

¹ Whipple did not depart until September 25. See Nathaniel Peabody to Josiah Bartlett, October 5, 1779.

² Lee's September 4 letter to Whipple is in Lee, *Letters* (Ballagh), 2:144–46.

Marine Committee to Samuel Nicholson

Sir,

September 19th 1779

We are favoured with yours of the 3d instant from Falmouth giving an Account of the Success attending your late Cruize, on which we congratulate You. We are pleased to find that the Character you give of Mr. Yeaton¹ comports of our opinion of his merit & your recommendation of him shall have due weight at a proper Opportunity, but at present we cannot comply with your wishes as many of our Captains are out of actual service.

Having ordered the Deane to be again got ready for the sea, we doubt not your best exertions will be used for the Speedy Accomplishment of that business. We are sir, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ Hopley Yeaton was a lieutenant in the Continental Navy.

Marine Committee to Abraham Whipple

Marine Committee

Sir,

Philadelphia September 19th 1779

We are favoured with yours of the 29th ultimo, and Congratulate you on the Success of your late Cruise.

As the Providence is again Ordered to be got ready for the sea, we have no doubt but your best exertions will be used for the speedy Accomplishment of that desireable business, and are with regard, Sir, Your very Hble Servts. Fran. Lewis, Chairman Pro Temp

RC (MiU-C: Whipple Papers). In a clerical hand, and signed by Francis Lewis. Addressed: "Abram Whipple esqr., Commander of the Continental frigate Providence at Boston."

Committee of Congress to William Livingston

Gentlemen

Philada. Sept. 20th 1779.

Distress'd on account of the present Scarcity of bread in our Army, Requested in a letter from His Excellency the Commander in Chief, also from the Commissary General of Purchases & Issues, And

alarmed at the unsuccessfull exertions of our Commissaries to furnish timely Succor from them and the Southern States, to Save the Army from absolute want, We are induced to adress ourselves to you on this Subject. As a proportion of the Supplies of flour for the Current year is Expected to be drawn from your State, and we cannot admit a doubt, but your well known patriotism and Zeal for the Common Safty, and Spirit for liberty which animates your Citizens will prompt and Enable you to take effectual measures Speedily to furnish the Commissaries with the Supplies of flour, at present so much needed & Save the Army from the most disagreeable Consequences in Such proportion and way and on Such terms as Shall Seem to you Just and reasonable, & with the highest respect we are, Your Excelly's. & Hon[ors] most Obedt. & huble Servts &c, per order of the Comttee. of Congress on the Comsy. & Qatr. Master Department,

Jesse Root, Chairman

TR (NCooHi: Charles Stewart Papers). Addressed: "His Excellency Govr. Livingston, Their Hons. of the Council And the Honble. House of Representatives of the State of New Jersey."

Joseph Hewes to Thomas Burke

Dear Sir,

Philada. 20th Sepr. 1779

We go on pretty much in the Old way, none of the papers respecting the ultimatum are yet sent, nor have we compleated the matters in respect to Spain, we have resolved to Stop the press. I will inclose you the papers as far as we have gone if I can get them today. Mr. Gerard took his leave of Congress on Fryday last and will Sail it is said to morrow, the Count La Luzerne is on his way from Boston and is expected here in a day or two.

By a Letter from the Count de Virgennes to Mr. Gerard dated the 29th of June¹ we are informed that the Forces of France & Spain were in motion in Order to Join and when the Junction was made they would endeavour to Strike such a Blow as to force England to Acknowledge our Independendence. That Great Britain in Order to Avoid that hard Necessity which she will never agree too but in spite of herself and to Avail herself of an Opportunity at a future day to reduce us to Servitude had sent or was about to send Two Emissaries to Congress with the Offer of a Time and power even to withdraw all the English Forces, provided America would determine to ransom her Alliance with France and seperate herself from her, as the Minister at Paris calls them Emissaries we may suppose they will come in a private manner (for I dont find that they are yet come) and carry on their Appro[a]ches with great Secrecy 'till they can discover what effect the fascinating charins of new Coined Guineas may have on the Virtue of individuals. I hope they will not find a man of influ-

ence & power in any of these States so lost to public Virtue & patriotism as to engage in the Sale of his Country for a Mess of Potage, all those with whom I have conversed speak of this matter with abhorance! Its a damned thing to be poor, human nature is frail! Gold has many powerful Charms! Have you never seen Men in a Boat rowing very hard one way and looking directly another? But I will not harbour the Idea, the Virtue of America that has carried us so far through this Contest will not now submit to Temptation. The Marquis La Fayette writes to Carmichael that the Grand Fleet of France with a large Army on board Transports had sailed for Ireland, what think you, do they mean to Conquer it or to give Freedom and Independence to that Country, whatever their Views may be they will distress Britain and that Affords some pleasure from the consideration that it will hasten a disposition in her to give us peace.

I am dear Sir, your mo Obed Servant, Joseph Hewes²

RC (MH-H: fMS Am 1300).

¹ See John Dickinson to Caesar Rodney, September 8, 1779.

² Hewes' last known letter as a delegate was written to Tench Coxe on September 30, 1779, covering an order repaying an obligation on behalf of Isaac Collins of Edenton. Coxe Papers, PHi. Hewes died in Philadelphia on November 10. *JCC*, 15:1252; and John Fell's Diary, November 10-11, 1779.

Marine Committee to James Nicholson

Sir

September 20th 1779

Having appointed you to command the Frigate *Trumbull*¹ now at New London in the state of Connecticut we desire that you will immediately repair to that place there to take the command of the said frigate and in your way call upon us at this place for our further Instructions.

We are sir, Your Hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ The committee's appointment of Nicholson, the senior captain in the Continental Navy, to command the frigate *Trumbull* is explained in Marine Committee to the Eastern Navy Board, October 6, 1779.

James Forbes to Thomas Sim Lee

Dear Sir

Philadelphia Sept 21st 1779

Yours of the 16 Currt I have before me. Mr. Gerard has taken his leave & only waits to see his Suckcessor (who is expected in Town every day) and then Embarks at Chester on Board the Confederacy for France. If I can obtaine the particulars you wish to be informed of, respecting the New Minister, before the post goes off, you shall

have it, if not expect it in my next. Our loss of men at Penobscot is not yet known, no doubt it will be considerable, and as to Ships it may be said to be almost total, as but one escaped most of them were burnt by our own people, I believe the Eastern people are ashamed of that expedition which is the reason we have never yet had a particular account. Inclosed you have a Circular Letter from Congress to the States, which will fully inform you as to our Emissions &c.¹ This day Congress goes into a Committee of the whole to consider of ways & means for supplies to carry on the War, at present they have in view a requisition on the States for Taxes & Loans to an amount that I am afraid will not be complied with. I was with a very small Minority on this great question for stopping the Press, not that I thought the measure wrong, but that it was necessary first, that the State should engage to furnish supplies, I shall be very happy to find I was mistaken by the several States furnishing their Quotas as requested by Congress, which requisition you may expect next week.

Your Account of the Emigration, from our frontier Counties are very alarming and the measures pursuing in Virginia of disposing of their Lands at this critical time I think should be put a stop to, but I see no inclination in Congress at this time to take it up.

I am not disappointed on learning that the Law intended to put a Stop to Ingrossing &c has not had the wished for effect. The Committee of this place I think has done much hurt, and now are resigning their power into the hands of the Legislature, whether they will attempt a regulation is uncertain. I fear they will take off the Embargo. I ever am, Dear sir, Your afft Friend & Servt, James Forbes

RC (PHi: Dreer Collection).

¹ See John Jay to the States, September 14, 1779, note 3.

Cyrus Griffin to Burgess Ball

My Dear Sir

Philadelphia, Septem. 21st 79.

I have recd. your letter dated on the 4th. No person upon Earth can be more welcome to what little satisfaction I am able to give him in the way of writing now and then. The subscription to Dunlap's paper I think is 80 dollars by the year; I shall not order that matter until you again write me for the purpose. I fancy the Enemy will attempt nothing great notwithstanding the arrival of Arbuthnot. I wish we could know with Certainty to what place the Regiments lately embarked from N. York are intended; perhaps the Count D. Estaing may fall in with them, the Count having quitted his former station.

I am *almost* as sanguine as yourself that the present Campaign will finish the Contest; the opposition to Great Britain is very formidable indeed; and yet when so conspicuous a nation begins to fall, perhaps

she may go on to the brink of destruction, and of consequence the war may be lengthened a considerable time to come. The resolutions of Congress relative to the Army were but so many Acts of Justice; and I hope the different states will provide half pay exactly conformable to the English establishment.¹ Congress have done and are doing all they can to appreciate the money; yet the states and Individuals can alone apply the most effectual remedy by *loaning* and *taxation*. Enclosed you will find a handsome address upon this subject; written by our president;² it contains to *my* Judgment a great deal of sterling sense and the most solid reasoning. I do not absolutely condemn your *associations*: but perhaps in consequence of them you may want many comfortable private supplies. I shall take notice of what you mention about the adjutants, paymasters, and Clothiers, I thank you exceedingly and General M.³ for a sight of those papers enclosed to his Brother.⁴ They greatly expanded my Ideas upon the subject; our officers write and fight in the same spirit. Your circumstantial account of that affair has given me pleasure tho I feel exceedingly for your situation—and yet w[hen] the public are acquainted with the whole matter as more praise will be given you as the brave and fortunate officer who executed the command. I would take a trip to Camp with the utmost satisfaction; but Smith and Fleming are setting off to Virginia,⁵ and there only remains a bare delegation. Compliments of the Fam[ily] attend you, My dear Sir, Yours affly.

C. Griffin

RC (CSmH: HM 39002).

¹ See John Fell's Diary, July 27, note; and John Jay to Washington, August 20, 1779.

² See John Jay to the States, September 14, note 3.

³ Brig. Gen. John Peter Gabriel Muhlenberg, who commanded the 1st Virginia Brigade to which Ball's 1st Virginia Regiment was attached.

⁴ Frederick Muhlenberg, a delegate from Pennsylvania.

⁵ For the departure of William Fleming and Meriwether Smith from Congress, see Fleming to Thomas Jefferson, August 10; and Smith to the Virginia House of Delegates, November 25, 1779.

Samuel Holten's Diary

[September 21–22, 1779]

Sepr. 21. Tuesday. I wrote to Mr. Avery & Mrs. Holten (No. 75).¹ The *Chevalier de la Luzerne*, Ministr. Plena. from the Court of France arrived here from Boston.

22. Wednesday. I made a short visit to the new ministr. & welcomed him here. I dined with the president of Congress.

MS (MDaAr).

¹ Not found.

John Jay to Edmund Pendleton

Dear Sir

Philadelphia, 21 September 1779

I had Yesterday the Pleasure of recieving your Favor of the 8th Inst. and am happy to find that my supplying our Friends absence in the Instance alluded to no less acceptable to You than agreeable [to] me.¹

In the Packet enclosed with this are two Copies of a circular Letter from Congress to their Constituents.² We have good Intelligence of three Regiments having within a few Days embarked at and sailed from New York; their Destination is unknown, some supposing them bound for the W. Indies, others for Georgia.

There is Reason to believe Count DEstaing is on the american Coasts having lately been left by an Eastern Vessel on the Latitude of Bermudas.

The Committees here are losing Ground. I doubt their existing much longer. It is a Pity they were called into Being; Admitting the Rectitude of their Intentions, the Policy of their object and the wisdom of their Measures to attain it, will never be demonstrated.

Be pleased to present my best Respects to the Governor and Col. Harrison³ both of whom I sincerely esteem and permit me to assure you that I am with great Truth and Regard, Your most obedient and most humble Servant,

J. J.

FC (NNC: Jay Papers). In the hand of John Jay. Jay, *Papers* (Morris), pp. 641–42.

¹ Pendleton's September 8 letter is in the Jay Papers, NNC. Pendleton's friend, in whose absence from Philadelphia Jay had offered to supply news of Continental affairs, was North Carolina delegate John Penn, who had left to return home on August 17.

² See Jay to the States, September 14, 1779, note 3.

³ That is, Thomas Jefferson and Benjamin Harrison, Jr.

Daniel of St. Thomas Jenifer to Charles Carroll, Sr.

Dear Sir,

Philadelphia Sepr. 21st 1779.

Yesterday we finished our Ultim[ata]¹ but still there is a minister to be ballotted for which may occasion some further delay as the Members of Congress differ in Opinion as to the person.

On the 11th Inst. Sailed a fleet of Transports from New York under Convoy of a 64 Gun Ship. On board this Fleet were three Regiments, two of Hessians and the other the 44th Compleat made so by draughts from other Regiments. Where these Troops are destined is not known but supposed for the West Indias or Georgia.

Congress have not yet received the particulars of our Loss at Penobscot which I believe was as severe as it could well be. It was a

rash attempt, without Conduct, & the expedition unknown to Congress or the Marine Committee.

Mr. Gerard has had an Audience of Leave and proposes to Leave the City some day this Week. The Confederacy frigate is ready to receive him at Chester.

The Chevalier Luzerne is expected to this place to Day or tomorrow.

The Count D'staigne's fleet was seen in Lat. 25 N. Long 70 W. Every day I hope to hear of his being on our Coast.

By the Papers you will perceive that the Boston and Deane frigates have not been idle. With the greatest esteem & respect I am, Dear Sir, your obedt. Humble Servt. Daniel of St Thos. Jenifer

[P. S.] Be pleased to present my Compliments to Your Son & Daughter & to Mrs. Darnall & little Poll.

RC (MdHi: Carroll Papers).

¹ Although the journals are silent on the nature of the September 20 debate over the ultimata, instructions for a minister to negotiate a treaty with Spain, in the hand of Meriwether Smith and endorsed by Charles Thomson "Agreed to September 20, 1779," are in PCC, item 25, 1:325–28; and JCC, 15:1083–84, 1090.

Henry Laurens to John Laurens

Philadelphia 21st September 1779.

I had the pleasure my Dear Son of writing to you the 17th Inst. by a Public Messenger, & of receiving on the 19th by the hand of Capt. Roberts your favor of the 9th Ult. This Young Gentleman will dine with me to morrow, if I can render him services more substantial than bare civilities, your recommendation will have its weight, with my own feelings respecting him as a fellow Citizen the Son of a valuable Officer who laid down his Life in the defence of America.¹

I knew, the pride & the naughtiness of the Hearts of so many of our fellow Citizens, would seduce them to spurn at the mode you speak of for completing our Confœderal Regiments; that the avarice of others would impel them to revolt from the proposition for erecting black Battalions & I long since foresaw & foretold you the almost insurmountable difficulties which wou'd obstruct the progress of your liberal Ideas—nothing wonderful in all this. Is it a light work to bring Men accustomed to [great?] affluence & absolute command, to submit without murmuring to peremptory Orders under the penalty of Corporal punishment? And it is certainly a great task effectually to persuade Rich Men to part willingly with the very source of their wealth &, as they suppose, tranquility. You have encountered rooted habits & prejudices, than which there is not in the history of Man recited, a more arduous engagement. If you succeed you will lay the corner stone for accomplishing a prediction of your Grandfa-

ther & your name will be honorably written & transmitted to posterity. But even the attempt without perfect success, will, I know, afford you unspeakable self satisfaction. The work will at a future day be efficaciously taken up & then it will be remembered who began it in South Carolina.

I prospered yesterday in carrying through a Report which I had the honor of presenting to Congress from a Committee appointed to correspond with General Lincoln, recommending Aid to So. Carolina by dispatching three frigates or Armed Ships of War & the North Carolina Brigade to Charles Town; there was much opposition to the measure from certain quarters & the Report underwent some alterations which may possibly be made use of to defeat my views, but as the execution was Committed to the Marine Board where Mr. Mathews acts as a Member, I have strenuously recommended the subject to his attention & I confide greatly in his zeal & fortitude.² Should we receive certain accounts of a French Fleet operating on your Coast, all that we have here determined to attempt for your relief will instantly be reconsidered & probably vanish.

Gentlemen aver that the Continental Frigates [work?] no advantage to the Port of Boston either in a Commercial & pecuniary view, or as a defence—on the contrary the Prizes which those Frigates carry in, work a prejudice to the Citizens of that Town by encouraging monopolizers & extortioners & by stripping the Port of Seamen who would otherwise be more usefully employed in the service of [. . .] Merchant Ships & private Ships of War. This doctrine strange as it may appear to Men of no more than common understanding, is proved & illustrated by the extreme reluctance with which Gentlemen representing Massachusetts & Boston consent to part with them only for a few Months in favor of a much distressed Sister State, but when some Men talk of defending So. Carolina & of the necessary measures for recovering Georgia, methinks I hear blind Men describing Colours, or Misers haranguing on liberality.

Has not So. Carolina contributed her quota to the raising a Navy? Has she not a rightful claim to some of the benefits which may be derived from the Navy? Oh! but So. Carolina is defended by taking the Enemy's Privateers from New York, & if you send our Frigates to So. Carolina the Enemy will soon know it, way lay & capture them—do not the Enemy as well know when those Frigates sail from Boston on a Cruize for prizes? is it not as practicable for British Men of War from Hallifax, Rhode Island & New York to waylay them coming out of, & returning to, the Bay of Boston as going to Carolina or cruizing from thence? did not they know of the ill concerted enterprize to Penobscot? Had I prevailed by my repeated recommendations more than twelve Months since, to send three Frigates to Cruize near Charles Town we should probably have added three or four British Frigates to our American fleet &c, &c.

It has been falsely transmitted to Charles Town that I was too

closely connected with the Eastern States, you have now proof of the contrary & I glory in the reproach of being with no Man, with no party longer than he or they steers or steer by the Pole Star of reason, Justice, reciprocity.³ When Men diverge into the Road of self Interestedness, I walk no further with them. In a word, I fear I have given offence to some of my friends. If it be so, I can't help it, I would rather offend my Father than meanly or wittingly transgress against those principles. The offended will upon reflection, perceive their mistake & without suit forgive me nor will this be a strange Phœnomenon in a true account of my Pilgrimage.

How many of our Confederal Ships of War have heretofore been Captured or foolishly lost? but how many have been captured or otherwise lost in attempting to releive or aid the Southern States? answer, my friend, these questions fairly & you will see nothing preposterous in the proposition for sending three Frigates to Charles Town—if cruizing be your Plan they will have as good Cruizing ground from thence as from any port on our side of the Atlantic & Boston will be for a little time relieved from the burthen of Prizes. My very worthy friend General Whipple, says in his mild & decent manner, well! well! you'll repent this scheme. But I'll say no more. I know my views are pure, my design is to promote the general good of the Union & I trust we shall be all good friends to morrow.

My quandam opponent Merryweather [Smith] to whom I never made any approaches, is now not only pleased but kind pressed me to day to take a side of his Chariot, brought me home & will eat Sturgeon with me to morrow—look at the Journal of Congress the 14th May last, &c.⁴ If Men will be —— if they will do these things, how can I help it? I will not be ill-natured or inexorable.

But to return to your Letter, I expect soon to hear your schemes in Assembly have proved abortive & that you have been defeated in your first battle in the Field of Politics—should this be the case I wish indeed to know it *soon*, & to know also your determination respecting a continuance in your native clime, in order to regulate my own movements. I should begin my journey homeward in a few days were I sure of meeting you on the Road or at Ansonburgh, meaning in a few days after two or three important points shall be adjusted in, as honest Mr. Duffield⁵ stiles it, the great Council of these States.

I have informed Monsieur Girard of Mr. Plombard's⁶ addresses to your Senate & House of Representatives & given him proper extracts from your Letter & from Colonel Gervais's, if the Gentleman has been misled I am in hopes he will see his error & retract before it be too late, he must not expect undue countenance either from Monsieur Girard or from the Chevalier La Luzerne.

You talk of a heavy tax, what will you say when Congress shall call on you for about a million & an half of Dollars per Month, a call which you must expect to hear [. . .] the 1st November. We have solemnly pledged ourselves to [issue] no more Paper Money when

the Amount shall be 200,000,000 Dollars, as you will have read in the Circular Letters. This event will happen about the 1st December & we have not yet determined upon one article of ways & means for replenishing the Treasury & carrying on the War. I feel more from [this present?] prospect of our affairs, than is convenient to ma[rk on?] Paper, lest Rivington should lay his hands on my Letter & magnify.

I am told Colo. Laurens gives exceeding good Madeira Wine to his guests at the House in the Garden, whence I presume it must be plenty & cheap in Charles Town, therefore I request him to lay in a Pipe or two for me before Christmas.

Colonel Malmadi will be the bearer of this,⁷ I don't know whether I shall be able to write to Mr. Gervais by him, if I do not, I pray you let this Letter do you both, & if I send but one Packet the News Papers will be found in that.

I commend you to God's protection & remain My Dear son, Your faithful friend & affectionate Father,

Henry Laurens

RC (ScHi: Laurens Papers, no. 34).

¹ Capt. Richard Brooke Roberts was the son of Col. Owen Roberts of South Carolina's 4th Regiment of artillery, who had been killed at the battle of Stono Ferry on June 20, 1779. Walter B. Edgar et al., eds., *Biographical Directory of the South Carolina House of Representatives* (Columbia: University of South Carolina Press, 1974–), 3:612.

² See Marine Committee to the Eastern Navy Board, September 22, 1779.

³ Laurens was sensitive to charges that he had been over zealous in his support of the New England delegates on the fisheries issue.

⁴ For the bitter dispute that had erupted between Laurens and Meriwether Smith in mid-May, see Laurens' two speeches in Congress of May 15, 1779.

⁵ Doubtless Congress' chaplain, the Rev. George Duffield.

⁶ Monsieur J. Plombard was the French consul at Charleston, S.C.

⁷ François, marquis de Malmedy, a Continental colonel who had been on leave from the southern department since the disbandment of his regiment in July, had recently petitioned Congress for permission to rejoin General Lincoln's command. See these Letters, 7:72; JCC, 15:1048; and PCC, item 78, 15:485–88.

James Lovell to John Adams

My dear Sir,

Sepr. 21st. 1779

By a Letter from one of the most lovely of Women in your Quarter of the Continent, I find you are engaged about a governmental Constitution for Massachusetts Bay.¹ And by another Letter from a Friend of different Sex I find that after a free & full Discussion of Principles you have determined to constitute a *free Republick*. From the *unanimous* Result of yr. past Deliberations I am led to hope that the Report of the Comtee. of 31 will happily meet with an unanimous Acceptation.

I take you now out to the Practice of that Humility which you profess in one of yr. Letters written in France. I want you to read,

think & judge in Support, if you can honestly, of that very Congress which has been so "———"² what shall I call it?" in regard to you. I think the Remarks or Observations in the last Pages of the Pamphlet, now sent for the Exercise of your Genius & Humility, are very good. Brother Dana has now & then appeared to me to dissent from my Ideas of the necessary Powers to be with the Arbiter of Peace & War in Admiralty Concerns. You will oblige me by conversing with him after you have read what I now send.

I cannot repeat to you what I have scrawled to S A³ respecting the State of the Business which concerns the Honor of A Lee for whom you performed a capital Act of Justice on the 11th of February. I have taken up my Pen at a Table, while Congress in Committee of the whole is inventing Ways to get money, after having resolved to *stop the press*.⁴

The Tragedy will soon be over if the States will not instantly supply us with monies for greater Expences than ever were before known for supporting an Army.

Having been very ill I find myself hurt by the Addition of private friendly Correspondence to what lays upon me alone of a public Kind just at this Moment of the sailing of Mr. Gerard. By Moment I mean no more or less than 24 uncertain hours. He may go this Afternoon or not till Tomorrow. Don't *you* inform the Enemy. It is a Secret that has only been known to every body in this City 8 or 9 Days.

Your most affectionate, humb Servt,

J.L.

RC (MHi: Adams Papers).

¹ Adams had been chosen Braintree's delegate to the state constitutional convention that convened in Boston on September 1. He served on the committee of 31 members assigned to draft the constitution; and it was he who wrote most of the first draft of the document, which with minor variations was adopted as the state constitution in 1780.

² In the margin opposite this passage Lovell drew an "index,"  to which he keyed the following comment at the foot of the page: "For Explanation of the Blank consult my lovely Correspondent Portia."

³ Samuel Adams, for whom see the following entry.

⁴ For a discussion of Congress' efforts to resolve its continuing fiscal crisis, see John Mathews to Thomas Bee, this date.

James Lovell to Samuel Adams

Dear Sir,

Sepr 21st 1779

Your Favor of the 9th reached me yesterday with so good an Apology for *appearances* of Delinquency, that I shall strive to forget that I have sometimes lately thought I had Cause to fret at you on Post Days. I have been very ill as have Multitudes in the City. Our Family in particular has had its full Portion. Mr. Langdon being

taken with very fierce Symptoms on Monday, Genl Whipple put off his Journey home intended to have been on that day.

Resolves have passed respectg. the main one of the two Questions asked us in Augst, if not in April 1778 and again in Octr with Information that A.L. would not think himself authorized to treat on those Points with Spain without our special Direction.¹ But lo! *now*, their is an Intention to send the Answer to A.L's Question to Doctr. F or to somebody *to be appointed*. So that the 4 to 4 & 4 divided is probably to be a resumed Question.² I am prepared to inform new Members and to make the *old* ones sin with Conviction before their Eyes, if they are bent upon sinning. My opinion is that, if De Vergennes wrote on Octr. 19th 78³ that he "feared Mr. Lee & those about him", yet that he pd. so much Regard to the Testimony given by Mr. J. Adams on the 11th of Feby and will be so desirous of confirming his own Assertion made a few days after "that he had none of the Prejudices endeavored to be excited in America", that he will treat A L with Confidence, and even be anxious to repair the Injury connected with former Diffidence by super rogatory Complaisance in future.⁴ If a Slight is to be in this Instance put upon A L, I will proceed in two Peices of Business which I have suspended; one of which you mention in your Letter,⁵ and the other I have before hinted to you. I hope that the one you mention is not *talked of* in your Quarter. For, tho' I have maintained a Right of Suppression of what is sent thro the Discretion of a private Friend by a public officer, yet I do not want to have a noisy Discussion of the Question.

I will attend to what you say about Flour though I think it a desperate Plan to send it from hence in Waggon unless in Cyder Barrels. Perhaps I shall get some on the other Side of Hudson's River which will save many miles Risque. We are struggling very hard about our money. Gerry will not have a Tooth or Nail left if several whimsical Financiers do not go home soon. He is truly anxious to have something decisive done, and he labors at it Night & Day.

I am pleased with the Circumstances you mentioned in regard to the Conventions. J.A. tells me, in one of his Letters from France, that he is so far profited by some of our Proceedings as to see that he was what is called, in Tabernacle Language, *a nothing-Creature*.⁶ His Vanity it seems is not incorrigible. With that Remark I quit the delicate Subject. Adieu.

J [L]

RC (NN: Adams Papers).

¹ In an August 31, 1778, letter Arthur Lee had asked the Committee for Foreign Affairs for instructions on providing the Spanish navy with masts and ceding Florida to Spain, "should it be conquered." Wharton, *Diplomatic Correspondence*, 2:699. And in a resolve of September 17, 1779, Congress conceded that should Spain conquer Florida, "these United States will guaranty the same to his Catholick Majesty: Provided always, that the United States shall enjoy the free navigation of the river Mississippi." See *JCC*, 15:1084; and Henry Laurens' Notes, September 9–17, 1779.

² By alluding to the tie vote of May 3, 1779, on Arthur Lee's recall, Lovell was suggesting that a new effort to remove him was probably on foot.

³ For the comte de Vergennes' lack of confidence in Arthur Lee, which he expressed in a letter of October 26, 1778, to Gérard, see William Paca and William Henry Drayton to Congress, April 30, 1779, note 2.

⁴ John Adams' February 11, 1779, letter to Vergennes contradicting the "insinuations" that had been circulated to undermine Arthur and William Lee is in Wharton, *Diplomatic Correspondence*, 3:42-44.

⁵ Adams' September 9 letter has not been found.

⁶ Adams had complained to Congress that he had been left in limbo when Congress appointed Benjamin Franklin as sole minister to France and failed to reassign or recall him. Wharton, *Diplomatic Correspondence*, 3:69-70.

James Lovell to Arthur Lee

Dear Sir,

Philada. Sepr. 21st. 1779

I recd. nothing from you yesterday. I am in better health than lately. Mr. Gerard is on the point of sailing. He is at Bristol, to give a *Ton*, I will not say positively a *bon Ton* to the Successor. Decision is over respectg. Florida. and I am told that the greatest Exertion will be made to prevent the Instructions going to A. L., they will be pushed thru Franklin or some *new appointment*.¹ I have every Thing Arranged to elucidate the *new* members and make the *old* sin, if they do sin, with full Conviction before their Eyes. W.H.D. is off the Stage.² Jemmy D. and Gov. M. are behind the Scenes;³ Judge F——I & Wody L——don are on their Pillows But the main Chair is full.⁴ The Farmer, the Fidler & the Boatswain are active.⁵ I cannot really tell Events beforehand. But I think I shall not want the advice of any Man to make me *present* the Triplicate & *consult* Ingersol & Sargeant if a Slight is put on my Friend.⁶ If things go to my mind; I shall not undertake a troublesome Course, of uncertain Issue, and *inferior* triumph if attended with a verdict for the Plaintiff. S.A.⁷ was well the 9th. Ellery the 2d. Our Convention for a Constitution in which are both S & J. A.,⁸ have, after clear, long, free Discussion of Principles, determined unanimously that the Governmt. shall be a *free Republic*. A Comtee. is appointed to form a Plan upon the discussed & accepted Principles, so that I hope the Draught will not be obstructed when brought it [in] at the Adjournment towards the end of Octr.

Affectionately yr. friend & humb. Sevt.

J.L.

RC (MH-H: Lee Family Papers).

¹ Lovell was anticipating the effort that removed Arthur Lee as commissioner to Spain in a series of crucial votes on September 26 and 27. For further information on Lee's supercession, see Lovell to Richard Henry Lee, September 27, Lovell to John Adams, September 27 and 28, and Elbridge Gerry to John Adams, September 29, 1779; *JCC*, 15:1109-10, 1112-13; H. James Henderson, *Party Politics in the Continental Congress* (New York: McGraw-Hill Book Co., 1974), pp. 208-10; and Louis W. Potts, *Arthur Lee: A Virtuous Revolutionary* (Baton Rouge: Louisiana State University Press, 1981), pp. 235-38.

² That is, William Henry Drayton, who had died on September 4.

³ That is, James Duane and Gouverneur Morris were absent from Congress.

⁴ That is, John Fell and Woodbury Langdon were ill, but John Jay was still in the president's chair.

⁵ The "Farmer" and "Fidler" were certainly John Dickinson and Meriwether Smith; the "Boatswain" was probably William Carmichael or William Paca.

⁶ See Lovell to Arthur Lee, September 17, 1779, note 8.

⁷ Samuel Adams.

⁸ That is, Samuel and John Adams, who were members of the Massachusetts constitutional convention.

Marine Committee to the Eastern Navy Board

Gentlemen

September 21. 1779

We shall very shortly want the Deane, Boston & Queen of France for a very important service for which reason we request that you will use every endeavour to have those Vessels fitted for the Sea with all possible dispatch and hold them ready to proceed Agreeable to the Orders which we shall transmit to you.¹

We are Gentn, Your Hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ See Marine Committee to the Eastern Navy Board, September 22, 1779.

John Mathews to Thomas Bee

Dear Sir.

Philadelphia Sept. 21. 1779.

I inclosed you a few days ago, An Address of Congress to the several States.¹ It is a matter of the last importance, & to reconcile it to the minds of men, will require deep reflection. When I left Congress last year a System of Finance was then nearly compleated; & was afterwards finally so. But soon after, those who did not like it, took the opportunity of moving a reconsideration of the whole & succeeded, which set the whole plan afloat again, & before anything effectual could be done upon it Congress were apprised of the mediation of Spain, to bring about a peace, between Britain, France, & America. This necessarily led them into a discussion of points which were proper to be insisted on as the Ultimata for peace. This single object (I may justly say so, for no other business of importance was done) engrossed the attention of Congress, from the ninth day of February, untill sometime about the beginning of August.² To find things in this situation, no less chagrined, than astonished me, which produced from me some Phillippics not very pleasing, & which I really believe in the end had a good effect. You are doubtless no Stranger to the grand obstacle to the completion of this business, to Wit, the fisheries. *The New England States* had got some others to join

them in a determination to make no peace, unless Britain acknowledged their right to an equal participation of the fisheries on the American coast. This Subject was twisted, & tortured, in all the variety of modes human genius could invent to gain & to oppose, this important object. I took the opportunity when this point was warmly agitated, to deliver my sentiments fully & freely on it. I had taken pains to inform myself of the progress & the state of the business, and had well considered the importance, & consequence, of the claim, & was prepared to decide on it. I was a fresh hand. No man knew my sentiments, & [every one] listened with avidity to hear on which [side I should d]etermine. It was [. . .]³ and grievously distressed country, for reasons too well known to be herein mentioned. Here the matter rested, the question was taken, & finally decided on. This relation looks too much like ostentation, to be communicated elsewhere, I mean it only for yourself, as I know your indulgent friendship will induce you to make me all the necessary allowances. This matter then being settled, the State of our money called loudly on us to pay a serious attention to it. But the precious days, & months that had been spent on the last mentioned business, were never to be recalled, with this wanton waste of time, was our money as wantonly sported with, untill it was at last reduced to its last stage of annihilation, when the alarm bells from all quarters din'd so incessantly in our ears, that we were at last roused by its call. What was to be done? resounded from all parts of the house. Stop the press was replied. This expedient was taken hold of & after a mature consideration was resolved on. No alternative remained, one more emission must have struck it dead. The nominal depreciation was thirty for one, This made the value of a dollar no more than three pence but in fact it was no better than One penny. Thus by Congress spending Six months on a business, which at a very large allowance, ought not have taken more than one, & for this object neglecting all others, we are reduced to this horrid dilemma. Whilst lounging in their seats, they could by a single vote, call forth Million after million from the press. They gave themselves but little concern, what was to be the event, untill ruin stared us in the face. Then by inspiration every member was at once to rise up an able financier. Thus when the Patient is gorged almost to suffocation, The faculty are called to a consultation. One sett prescribes lenitives to make him disgorge by degrees, as too violent an operation at first would probably throw him into convulsions. Another is for craming him still more, by which means it will make him thrust it out at the other end. The third is for giving him a strong emetic, & oblige him to cast up the whole at once for as the disease is desperate it must require a desperate remedy. I am among the latter class of Quacks (I think like Doctor Rock's, our motto should [. . .] Quack, Quack). Let us [. . .] 1st . . .]⁴ experiments will never do, for it never produced above a tenth part of what was necessary for the annual supplies. 2d. Stuffing one

end to force it out at the other. That is, emitting more money. Even a Quack can tell this must be instant death, for one more emission would strike dead the farther circulation. 3d. The strong emetic, to produce a copious discharge. That is, a heavy tax. Now as I take you to be full as good a Quack as I am, I will leave you to Judge, which of the three remedies you think most likely to succeed. My plan always was to procure money in Europe & draw bills for it, either to pay of a part of the debt incurred here, or keep it as a fund for carrying on the War, at the same time tax the people as far as they could bear. Thus we should have been enabled either to pay of a part of the circulating cash, by which means the farther emissions would not have been so much felt, or by appropriating it, for our immediate expences, would have stopped the press & brought the paper money to a fixed value, which was certainly a most desirable object. But the day for this, is now past. Our Great Politicians say we ought by no means to incur a larger foreign debt than is indispensably necessary & that only in procuring Arms, ammunition, & Cloathing for the troops, which cannot be procured here—Our only resource now is taxation & internal loans. Let us examine the practicability of this method's producing a sufficient Supply. There remains to be emitted of the 200,000,000 a Little better than 40,000,000. There is a tax of 60,000,000 already called for, & which is to be paid in by the first of January. There is a negotiation on foot for an internal loan 20,000,000. This makes in the whole 120,000,000. Deduct for the nonpayment of the Quota of So. Carolina 5,000,000 Say of the bills of April & May paid in by way of taxes 20,000,000—in the whole 95,000,000 remains. This is Computed to carry us on to the first of March next. What are our monthly expenditures? 15,000,000. Don't stare so. If you look so aghast now, what will you do before I am done. I Say 15,000,000. This for the Six months up to the first of March is 90,000,000. Thus far it is all plain sailing. Then it devolves on the States to Supply the Continental Treasury. By an Allotment of 15,000,000 [. . .]⁵ the New England fashion. All the Eastern & Middle States Say it is. Virginia & North Carolina Say they *think* not. So. Carolina Says No. You'll of course ask, how I can [. . .] adopt the plan then. I'll tell you. I voted first for stopping the press, because I saw no alternative, & I must be in favour of this plan because I can suggest no better. A poor reason you'll say. True—But the principle I go upon is this. The farther emissions being stoped will bring the money to a fixed point, & prevent the farther depreciation. There being such a superabundance in circulation, the people are eager to lend their surplussage, provided they could be certain of receiving their own money again. (The direct contrary of which has hitherto been the case.) This point being fixed, they will not only be certain of receiving their money at a future day, of the same value as when they lent it, but a chance of it's being better, because as the depreciation has been arbitrary, owing to the constant emissions, the emissions

being stopped, there is a great probability of the depreciation being brought down to the true principle of depreciation, that is, as 30 is to 200, not quite Seven for one. Again when the money lenders see such heavy taxes called for, they will begin to think Congress are seriously disposed to sink the money (which the people have of late entertained doubts of) & the man of property finding such a run upon him for the payment of his taxes, will begin to *feel* that the money is of value. All these things co-operating will induce the money lenders to bring in his money with cheerfulness. Then supposing the four New England States, Jersey, Pennsylvania, Delaware & Maryland, to bring in their quota's, this will be about one half, Then what can be borrowed by the United States & the several States, I conclude will make up the sum wanted, besides, it is to be supposed the States of New York, Virginia, No. & So. Carolina, will pay in some part of their quotas of taxes. None of the States plead inability but the impracticability of a monthly Assessment. So. Carolina can with propriety plead inability to pay so heavy a tax, Yet I hope she will exert herself to the utmost stretch, to do all she can, for I am now thoroughly convinced nothing remains but to pay freely, heavy taxes [. . .]⁶ For alas! What is our European foe now reduced to. That imperious, vengeful, insidious people, are driving headlong to the Devil as fast as they can go. I believe a more infernal crew, never infested the earth Since Noah's flood. A fairer prospect of Peace, happiness, & every blessing this world can afford, never presented itself in stronger colours, to any people, than to those of America, & if that Virtue & Patriotism, which inspired our early resistance is not Culled into too profound a sleep these enjoyments will all be ours in a few months more. There wants nothing to insure it, but putting our money on a respectable footing, for a failure of this, is the only hope now remaining to our scoundrally enemy, and against it they are now bending their whole force, by every art, however mean or infamous. Let men only consider for a moment what the tax is, it is no more than so many three pences, & not dollars. Let me intreat you my worthy Friend (remember I don't write to you now as a governor) to endeavour to reconcile our people to the measure. I know the burthen will be oppressive but it cannot be avoided. Every thing depends on the success of the plan. If it obtains, our troubles are at an end, if it fails. Oh! Think what must be the consequence. I will Say no more. I have already detained you very long, the subject was truly interesting, which I must substitute for my apology. I should be much obliged to you for your sentiments fully on this subject, in answer to mine, & whatever else you can suggest, for I shall rely much on them.

An account of Count D Estaing's being on the coast is rumoured, but we have no official account of it. The new Minister of France is expected in Town this evening. I refer you to a plan we had formed for your relief, to a letter I wrote Ed. Rutledge a few days ago.⁷ It

was then before a Committee, we have this day carried it through Congress *in it's full extent*, & in about a month you must keep a sharp lookout.⁸

I am Dr Sir, with the most sincere Esteem, Yr. Obedt. Servt.
Jno. Mathews

RC (ScC: Bee Papers).

¹ See John Jay to the States, September 14, 1779, note 3.

² Mathews had obtained a leave of absence from Congress on November 12, 1778, before the "System of Finance" was adopted on January 2, 1779. By April 3, however, the committee on the treasury reported that the "present arrangement" could not be "carried into practice." *JCC*, 12:1129, 13:20–23, 445. Thereafter, fiscal considerations were subordinated to the foreign policy debate that occupied Congress through the spring and summer of 1779. When Congress resolved on September 3 not to emit bills of credit in excess of \$200 million and to rely upon "the exertions of the several states," efforts to resolve the financial crisis assumed a new dimension. For Congress' eventual abandonment of paper currency as the primary means for financing the war, which entailed decisions in February and March 1780 to set the state quotas in kind and to repudiate the Continental dollar, see Samuel Huntington's letters to the states of February 26 and March 20, 1780.

³ Manuscript damaged, one line missing.

⁴ Manuscript damaged, two lines missing.

⁵ One line missing.

⁶ One line missing.

⁷ Not found.

⁸ On September 20 and 22 Congress ordered the North Carolina troops in New York to join Benjamin Lincoln's army at Charleston and three Continental frigates at Boston to sail for South Carolina. See Marine Committee to the Eastern Navy Board, September 22; and John Jay to Washington, September 23, 1779, note 2.

Nathaniel Peabody to Josiah Bartlett

Dear Sir, No. Philada. Sept. 21st. 1779.

Your kind favour of the 4th instant, without Number, Came to hand per Post.¹ I feel myself exceedingly Chagreen'd at the News of the unfortunate, disgraceful, affair of the Penobscott expedition, hope Soon to know where the blame ought to be Charged. It gives the Enemies [*of*] our E. States occasion to Speak Evil &c. Mr. Langdon is here, Somewhat unwell which prevents Mr Whipple, from Setting out, for a few days. Nothing material here Since my Last. Inclosed you will have, the present opinion of Congress respecting finance, So far as it relates to that Subject. The News you will have in the papers. I Should forward Sundry other papers respecting our public affairs, but find my packet will be too large to admit of any further Addition. I need not mention to you the Necessity of defreying our public Expences by, Taxing and Loans, that there be no further demands for future Emissions of money. The efforts of Congress will be Totally insufficient, unless they are aided by the virtuous Exertions of our fellow Citizens. Pray inform me in you Next Some-

thing about Constitutions & Regulations &c—& send me a N. Hampr. News paper, as often as Convenient. I must beg your Continued kindness in forwarding Letters. My Complements to the Hon'le Committee of Safety & all friends.

I am Sir with Sentiments of Esteem, Your Sincere friend, Most obedient, and very Huml Servt. Nath. Peabody

RC (NhD: Bartlett Papers).

¹ Not found.

William Whipple to John Langdon

My Dear Sir,

Philadelphia 21st Sept 1779

When I wrote you last I expected to have been with you before this time, but was prevented setting out at the time I intended by indisposition, of which I have entirely recovered and was prepared to take my leave of this City last Saturday at which time your brother was suddenly taken ill, but I hope he will in a few days be able to attend in Congress when I shall without loss of time take my departure. I have nothing new to give you; we are in hopes there is something in the reports of the French fleet coming this way, but in my judgment it cannot be entirely relied on. The Enemy are making considerable movements in New York, but their intentions cannot at present be known.

I find your brother is much better this morning than he was last evening. I think it highly probable that I shall set out in 2 or 3 days at farthest.

I am very sincerely yours,

Wm. Whipple

[P.S.] You will be careful that Mrs. Langdon is not alarmed, for you may be assured that your brother's indisposition is not attended with any dangerous symptoms.

Tr (DLC: Peter Force Collection).

James Lovell to Arthur Lee

Dear Sir private

Sepr. 22d. 1779

I thought it best not to have any Irregularity in the Delivery of the Dispatches to the Doctr., and have therefore copied the most material Parts for answering the Purpose hinted to you in my Letter of the 17th.¹

It is only within 5 days that I learnt Mr. Smith was taken; I had been told of his safe arrival. I am not certain whether I ever sent Copies of what he carried; and I find no roughs by me except of that

to Doctr F—— tho I find a Memdum. of what I committed to Mr. Smith—as follows April 30th.²

	4 plicate	7	}	Hopkinson
	3 plicate	8		
my own	To J Adams	28th		
	To A Lee	28th		
	To Doctr. Franklin	29th		
	To Jona. Williams	29th		
	To Dr. Franklin			
Mr Jays	To Marqs. Fayette			
	Pamphlets & Gazettes to the Doctr.			

I expect in a few hours to be able to show you whether yr honor is properly regarded here or not. If the Decision in regard to the Floridas & Mississ. are to be conveyed to Doctr. F or to a third person, your replicatory & defensive Letters have been in vain laid before Men *willfully blind*. But I hope better Things. I have Papers so arranged as to enlighten *new* Members and make the *old* sin against conviction, if they do sin.

De la Luzerne arrived last Evening in this City.
If De Vergennes did write on the 29th of Octr. “Je crains Mr. Lee et ses Entours,” yet after the Testimony of such a Man as he says both he & the King think Mr. J. Adams, was laid before him on Feb. 11, I judge the Minister will prove by his actions what he asserts on the 13th of that Month.

Si nous avons pu etre instruits de vos contestations *nous n’y sommes entres pour rien*, et L Estime personelle que nous avons cherché a fair remarque a chacun de Messrs. Les Commissaires fait preuve que *nous n’avons point adopté les preventions qu’on semble vouloir inspirer a l’Amerique*, et dont le fondement nous est inconnû ici.³ J. L.

RC (MH–H: Lee Family Papers).
¹ Because Lovell “hinted” so many subjects in his letter of September 17, the “Purpose” he had in mind here cannot be conjectured.
² For Lovell’s conveyance of a packet of letters to France by Samuel Smith in April, see Lovell to Benjamin Franklin, April 29, 1779, note 1.
³ This quotation is from a letter from the comte de Vergennes to John Adams of February 13, 1779, written in reply to one from Adams of February 11 defending Arthur and William Lee. For the context of this exchange, see also Lovell to Samuel Adams, September 21, 1779, notes 3 and 4.

Marine Committee to the Eastern Navy Board

Gentlemen September 22d. 1779
We desire that you would order the Deane, Boston and Queen of France to proceed with All possible expedition to Charles Town in South Carolina. You are to supply them with three Months Provisions, but provided so large a supply is not readily to be procured, you are

at least to Supply them plentifully with what will be necessary for the voyage. Their Destination is to be kept a profound Secret, therefore the Orders for this purpose are to be delivered by you in writing to the eldest Captain¹ sealed up which are not to be Opened until the fleet get five Leagues to the southward of the Light House. The Enclosed Letter is to be sealed up in your Orders and opened at the Same time your Orders are.² We are Gentn, Your Hble servts

RC (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ That is, Capt. Abraham Whipple.

² This letter for Whipple consisted merely of the two following sentences of instruction and an extract from the journals of Congress.

"You are hereby directed to pay Strict Obedience to the enclosed Resolution of Congress. 'The Commanding Officer for the Time being means the Commanding Officer in the State of South Carolina.' We are Sir, Your Hb Servants.

"In Congress September 20th 1779. Resolved that the Marine Committee be directed to give orders to the Commanding Officer of the Frigates or Ships of War going to South Carolina to Confer and Co-operate with Major Genl Lincoln as the Commanding Officer for the time being until the farther Orders of the Marine Committee. Extract from the Minutes, Chs. Thomson Secr.'" See Paullin, *Marine Committee Letters* 2:117-18; and *JCC*, 15:1089.

For the countermanding of these instructions the following week, and their reissuance in November, see the Marine Committee's letters to the Eastern Navy Board of September 28, and November 10, 1779.

Charles Thomson to Thomas Mifflin

Sir,

Philada Sept 22. 1779

Agreeably to your request I have made the necessary enquiry,¹ the results of which is as follows.

Newhampshire has not yet established its constitution. The government is executed by a president & Council. The President has no Settled salary; but grants are from time to time made to him, the whole of which did not in 1778 exceed 4000 dollars. This present Year it is thought it will be something more.

Massachusetts Bay is in the same situation with *Newhampshire*. The constitution is not settled. The Executive business is carried on by a President and Council. The President the eldest Councillor and is only primus inter pares. He has no emoluments annexed to his Office; and by the last grant is allowed in like manner as the other Councillors 10 dollars a day.

Rhode Island continues in the exercise of its ancient form of government. The governor is elected Annually. His salary as governor is about 300 dollars a year; But as governor he is Naval Officer and enjoys the perquisites of that office paying the necessary clerks. This was formerly judged to be worth about 1600 dollars a Year.

Connecticut likewise continues in the exercise of its ancient forms. The Governor is annually elected. His stated salary is 300 pounds

lawful per Annum. Besides which he has been allowed for extraordinary from 100 to 150 Pounds a Year. In May last the Assembly agreed to give him for the current year on account of the depreciation twelve for one, which is 3600 pounds lawful money equal to 12000 dollars.

New York has new modeled and settled its constitution. It has a Governor. His salary is 2000 pounds or 5000 dollars per Annum, On account of the present times, the Assembly have added one thousand pounds more or 2500 dollars. So that he is now allowed 7500 dollars for the present year. He has no house allowed him, nor any perquisites.

New Jersey have also new modeled their constitution. They have a governor. I have not been able to find what his salary is. He has been allowed, the present year, something on account of the times. But his whole present allowance is supposed not to exceed 3000 pounds or 8000 dollars per Annum.

Delaware has new modeled its constitution. The chief Magistrate is a president who is annually elected. His salary is 200 pounds or 533 1/3 dollars a year. I do not find that he has any perquisites or that he has had any allowance made him on Account of the depreciation.

Maryland has new modeled its cons[t]itution. The chief Magistrate is denominated Governor. His Salary is 2500 pounds or 6666 2/3 dollars a year. But lately the legislature unwilling to set an example of raising Salaries, and at the same time unwilling that the Officers of government should suffer too much by the depreciation, have resolved to pay the reasonable expences of all the Officers of Government.

Virginia has in its new constitution established a governor. His salary is 4500 pounds or 150[00] dollars per annum. He resides in the palace [& has] the use of the Stables & a piece of pasture ground thereto belonging and also of some furniture which in 1774 cost 1500 pounds or 5000 dollars. I do not find that any allowance is made on account of depreciation.

North Carolina under its new constitution has a Governor. He has no fixed salary. In the present state of the currency he is allowed 15000 dollars a year and has some trifling perquisites, but he finds his own house.

South Carolina has new modeled its government. It has a Governor. His salary is 2000 pounds or 5333 1/3 dollars. He enjoys no perquisites, has no house found for him, nor has he had any allowance made to him on account of the present depreciation.

With regard to Georgia, there is no person of whom I can enquire concerning it.

I am Sr, Your obedient humble Servt, Chas Thomson

¹ General Mifflin had apparently asked Thomson to inquire of the various delegates in Congress about the executive officers and their salaries in the 13 states.

Samuel Holten's Diary

[September 23–24, 1779]

23. Thursday. Congress spent part of the day upon the affairs of Vermont.

24. Friday. I am somewhat unwell. Congress passed a number of resolves respecting Vermont.¹ Cool weather.

MS (MDaAr).

¹ See John Jay to Thomas Chittenden and to George Clinton, September 25, 1779.

John Jay to the Continental Army Auditors

Gen.

Pha. 23 Sept 1779

You will receive herewith enclosed a Copy of a Letter of the 21 Ult. from Col. Butler to his Exy General Washington, and a Copy of an Act of Congress directing the Sum mentioned in it to be paid him on his making oath to the Facts set forth in the Letter.¹

I am Gent, Your most obt. Servt.

J.J.

LB (DNA: PCC item 14). In the hand of John Jay and endorsed by him: "Sent 24 Inst to Col. Mitchells." Addressed: "The Auditors of the Main Army."

¹ Col. Richard Butler had written to Washington on August 21 to explain that he had been robbed of \$2,316, which had been advanced to him for rations for his regiment. Washington had forwarded Butler's letter to Congress, recommending him "as a Man of strict honour and probity," and on September 15 Congress adopted a Board of Treasury recommendation to allow him reimbursement for the loss "on his making oath." See *JCC*, 14:1005, 15:1067–68; *PCC*, item 152, 7:669–76; and Washington, *Writings* (Fitzpatrick), 16:156–57.

John Jay to George Washington

Sir

Pha. 23d Sep. 1779

I have had the Pleasure of recg your Exys Favors of the 14 and 18 Inst with the Papers mentioned in them.¹

The enclosed is a Copy of an Act of Congress of the 22d Inst directing the North Carolina Troop to proceed by Land to South Carolina.²

With perfect Respect & Esteem I have the honor to be your Exys most obt Servt

LB (DNA: PCC, item 14). In the hand of Jay and endorsed by him: "Sent 24 Inst to Col. Mitchells."

¹ Washington's letters of September 14 and 18 to Jay are in PCC, item 152, 8:21–22, 27–30, and Washington, *Writings* (Fitzpatrick), 16:283, 303–4. They were read in Congress on September 20 and 24. *JCC*, 15:1086, 1102.

² *JCC*, 15:1093. Jay also enclosed this resolve with a brief September 23 letter to North Carolina governor Richard Caswell, which according to Jay's endorsement was also "sent 24 Inst to Col Mitchells." PCC, item 14, fol. 1.

Samuel Huntington to Benjamin Huntington

Sir Philadelphia 24th Sepr 1779

Since my last nothing very remarkable hath Occurd here. I have this moment receivd an account, that 300 hessians who lately Embarkd at N. York are Captured & now coming up to this City, if this be true I hope we Shall make a discovery from them of the destination of the whole Embarcation which was three regiments that Sailed with them.

We have Intelligence that farther Embarcations are now taking place at New York, with various conjectures concerning their destination which perhaps time alone will discover, Some Say they are bound to Hallifax, Some Say West Indies, other Georgia, S. Carolina, or Virginia, & it may be Some part of N. England; We Send Intelligence every way. I am much concernd at the Spirit of detraction & personal altercation with which the News papers teem; from the best Judgment I can form it is the Effect of a few Imprudent, or Ill, designing persons, which are prompted by party feelings, & various other motives not the most honorable, I fear however it may tend to mislead Some persons, and above all lessen our National Esteem in Europe tho, I hope the Sensible & Judicious in these States will not be disceived.

I have the Honour to be with Esteem & regard, Your humble
Servt, Saml. Huntington

P.S. This moment an Express arrivd from Charlestown S. Carolina in Sixteen days & brings Certain advice that Count de'Estaing is arrived on that Coast.¹ S. H.

RC (NROM: Bright Collection).

¹ Huntington was referring to the arrival of letters of September 5 and 8 from J. Plombard, the French consul at Charleston, S.C., to Conrad Alexandre Gérard, which were read in Congress on Sunday, September 26. See *JCC*, 15:1108; and John Jay to the States, September 26, 1779.

Because these letters actually arrived in Philadelphia on September 25, Huntington must have added this postscript on either September 25 or 26. See Samuel Holten's Diary, September 25, 1779.

Henry Laurens' Notes

Friday 24th September 1779.¹

Mr. Mathewes, offered a written Motion That no person being a Member of Congress shall be eligible to any place of trust or emolument under Congress. Seconded by²

Mr. Laurens, I must oppose the Motion of my Honorable Colleague for several reasons—1st. it Resolution than no Member of Congress shall be eligible &c. in the moment we mean to fill up a blank in the Commission for a [. . .]³

MS (ScHi: Laurens Papers, no. 20). In the hand of Henry Laurens, and endorsed: "Mr Mathews self denying Motion—24 Sept. 1779."

¹ Laurens discussed this motion by John Mathews in his September 27 letter to John Laurens, where he stated that Mathews had "laboured hard two days" to carry it. Although there is no indication in the journals that this motion was debated on the 24th, there is no reason to doubt, on Laurens' evidence, that the motion was under consideration on both September 24 and 25. Its fate, according to Secretary Thomson's entry of the 25th in the secret journal of foreign affairs, was rejection—after a second by Elbridge Gerry—by a vote of eight to two. See *JCC*, 15:1105–7; *PCC*, item 5, 1:330–32; and Laurens to John Laurens, September 27, 1779. Since James Lovell also claimed to have provided the second for Mathews' motion, it seems probable that his reference to the subject is to proceedings of the 24th not recorded in the journals rather than to those of the 25th. See Lovell to John Adams, September 27, 1779, note 5.

² Probably James Lovell. See note 1.

³ Although Laurens' note ends thus abruptly, the ground of his opposition to Mathews' motion is also discussed in his September 27 letter to his son John.

Henry Laurens to Benjamin Lincoln

Dear sir

Philadelphia 24th September 1779.

I have been honored with your favors of the 20th & 27th July.¹

Mr. Mercer whom I introduced to the board of War, intimates to me that his business is going forward & expresses no dissatisfaction.² Therefore I hope he will succeed, altho' to me, who am always anxious for dispatch & especially when an Invaded Country is the object, the time already past since his arrival here, appears tedious.

Doctor Oliphant's application was early refered to the Medical Committee, who have not yet reported. I believe the Report & the determination of Congress will be satisfactory to the Doctor, I shall be exceedingly chagrined if it shall be otherwise. The Chairman of that Committee is out of Town, the moment he returns I will urge him to a Report.³

The public has been informed of an embarkation of 6000 Troops at New York said to be for SoCarolina or the West Indies, yesterday a Gentleman from that City reported that such of the Troops as had been embarked were relanded & that the Enemy were fortifying

every practicable place, we have on both parties the choice of difficulties held out to us, the wisdom of both would appear in advances toward a Treaty for Peace; *we* are heartily disposed to close the War, but by no means, despondent.

The depreciation of our Paper Money is a heavy weight on these States, Congress have done & are doing every thing in their power for recovering its Credit, nothing but the virtuous exertions of our Constituents can accomplish a radical Cure. These exertions I fear will not appear until the People are animated by a convulsion. Every Man seems to be dead in trespasses & Sins against the Public Interest, & without consciousness of the truth, against his own.

With my best wishes for your health & success I have the honor to be, Dear Sir, Your obedient & most humble servant.

Henry Laurens

RC (NJMoHP: Lloyd W. Smith Collection).

¹ Lincoln's letters of July 20 and 27 are in the general's letterbooks, Lincoln Papers, MHI.

² Lincoln's letter of the 27th had been delivered to Laurens by Richard Mercer, purveyor of the hospitals in the southern department, whom the general had sent to the Board of War "for a number of articles necessary in this department which cannot be supplied elsewhere."

³ Dr. David Oliphant, who had been director general of hospitals in South Carolina since June 1776, had recently complained that he had been ordered by Dr. William Shippen, Jr., to submit regular reports to him as director general of the medical department. This he refused to do, stating that he was responsible only to the Continental commander of the southern department and to Congress, and that his appointment was senior to Shippen's. He had, he explained, been operating in this manner nearly three years, to the satisfaction of every commander of the southern department. He had submitted the plan of his establishment to Congress shortly after his appointment, and although it had never been acted upon, he presumed that the arrangement was agreeable, for he could not imagine that he would have been permitted by Congress to operate in error for so long.

Laurens' surmise that Congress' determination would be "satisfactory to the Doctor" was correct, although a compromise congressional resolution acceding to Oliphant's demand—"to make monthly returns to the Medical Committee" rather than to Shippen—was not adopted until February 25, 1780.

See *JCC*, 14:991; 16:204; *PCC*, item 72, fols. 510–19; and Samuel Huntington to David Oliphant, February 26, 1780.

Connecticut Delegates to Jonathan Trumbull, Sr.

Please your Excellency

Philadelphia Sept. 25th 1779

Inclosed is an Extract of a letter from Mr. Fox which is Confirmed by Similar Accounts Contained in a letter from Genl Washington.¹

Captn Nile's papers & accoumpts have been laid before Congress & are referred to the board of Treasury who have not yet reported thereon.² Proper attention will be paid to your Excellencys wishes respecting your Son & nothing will be wanting on our part to further them in Case an appointment of the kind Should be Judged

necessary. The New Minister of France the Chavilier de la Luzern arrived here last Thursday but has not yet been formally anounced to Congress. Mr. Gerard will Sail Soon in the Confederacy for France. Our foreign affairs are brot. nearly to a Close.

The great business of Finance grows daily more & more pressing & Important. Some resolutions ascertaining the Sum that will be necessary to Supply the Treasury—assigning to the States their respective quotas, and fixing the time of payment, are under Consideration & will Soon be passed upon and transmitted to the States.

There is not hard money in the Treasury otherways your Application would have been Complied with.

No Journals have Come out Since our last. We Send herewith a Code of the Jersey laws presented to us by that State through their Delegates for the purpose of opening a Communication of laws with the different States, also a pamphlet on finance wrote by Mr. Webster.

Sept. 26th. Last evening an Express arrived here from Charlestown South Carolina³ & With dispatches Containing the most agreeable advices of the arrival of the Count De Estange off the Savannah the 5th Inst. With his fleet and a considerable land force—that he immediately Sent an officer to the Governor of South Carolina & to General Lincoln to Consult & Settle the Mode of attacking the Enemy—which being Concluded on was Sent back to the Count—and the Attack on Savannah was to be made on the 9th. This affords the most flattering prospects respecting Georgia & our affairs in that Country. The assistance of the Count with his fleet will be of most essential Service to us this Campaign provided he Shall be at liberty to Cooperate with us through the Season—which we have reason to hope.⁴

The large Embarkation of 8,000 Troops making at Newyork for the southward will probably be Stopped.

Capt Taylor a privateer from this Port has taken a transport Ship with 350 Hessians on board Supposed to be a part of the detachment which Sailed Some time past from Newyork & were returning on account of bad weather.

A woman was taken up at Reading in this State going from the Convention Troops in Virginia to New York had with her plans & Charts of James river & the adjacent Country.

We have the Honor to be with the highest esteem & respect your Excellencys Most obedt & most humble Servants,

Saml. Huntington

Jesse Root

RC (Ct: Trumbull Papers). Written by Root, and signed by Root and Huntington.

¹ Edward Fox's September 24, 1779, letter to James Forbes, which reported a large embarkation of British troops from New York and was read in Congress on September 25, is in PCC, item 78, 9:287–90. *JCC*, 15:1103. For General Washington's

September 19 letter to Congress containing "Similar Accounts," see PCC, item 152, 8:33–36; and Washington, *Writings* (Fitzpatrick), 16:311–13.

² Capt. Robert Niles' claim for payment for carrying dispatches to France in May, 1778, was read in Congress on September 20 and referred to the Board of Treasury. *JCC*, 15:1087.

³ See Samuel Huntington to Benjamin Huntington, September 24, 1779, note.

⁴ Extracts of two other delegate letters containing this intelligence were also printed in the October 5 issue of the *Connecticut Courant and the Weekly Intelligencer* at Hartford with the following captions.

"Extract of a letter from a member of Congress to a gentleman in this town, dated Philadelphia, Sept. 26, 1779.

"I congratulate you on the arrival of the Count D'Estaing with his fleet and a considerable land force off Charlestown, the 5th instant: He has sent to Gen. Lincoln and the Council of South-Carolina to consult on the mode of attacking the enemy, which was concluded and sent back to the Count. The attack was proposed to be made on the 9th instant. This intelligence comes by express from Charlestown, who left there the 9th instant; there is the highest reason to believe that Georgia and the British forces in those parts are before this in our possession."

"Extract of another letter from a member of congress to a gentleman in the State of New-York dated September 26.

"I have only time to communicate the joyful news, that by express arrived last night in 15 days from Charlestown South Carolina, with letters from Count D'Estaing, who arrived with his fleet of 21 ships of the line, with frigates, &c. the 5th instant off Georgia. The State must exert themselves to fill their magazines with flour, as it will be wanted for the fleet and our army; The farmers should thresh out their grain immediately."

John Dickinson to Caesar Rodney

Sir, Philadelphia, September 25th 1779

I have the pleasure to inform You, that the President of Congress, this Moment call'd upon Me, to inform Me, that he has receiv'd Advice, that the Count D'Estaing with a formidable Fleet has arriv'd at Georgia,¹ with a very considerable Body of Troops on Board. One of the principal Officers landed in South Carolina, held a Council of War there, in which the Plan of Operations was settled, and then return'd to the Count—and, if no *Blunder* is committed, the Event will be what we wish it to be.

The Enemy is fortifying NewYork incessantly. They have done a great Deal, but still are not contented. Our Intelligence is well authenticated, that they meditated an Embarkation of several thousand Men. The Count's arrival in all probability will put a stop to it, unless they slip out to the West Indies, while he is ap—proach—ing—which is not unlikely.

General Sullivan has beat the collected Force of the Enemy, of which too formal an Account is published—tho, the Consequences are said by such as understand Indian Affairs, to be of Importance to the peace of our Frontiers.

Mr. Gerard has taken Leave of Congress, & is expected to sail every Day in the Frigate, *Confederacy*. We have dismiss him with as

honorable Testimonials respecting his public & private Conduct as we could give.²

I have been for some time exceedingly indisposed. I intend soon, if I get better, to make a Trip to Kent—and if the State has any particular Business requiring immediate Dispatch, I should be glad to have Advice of it as early as possible.

I [beg le]ave to recommend in the most earn[est] Manner, the providing every kind of Cloathing for our Battalion of brave & worthy Officers & Men and also the having our Militia in the most respectable Readiness for Action. I speak the sense of Congress on these Subjects.

I am with great Regard, Sir, your very hble Servt.

John Dickinson

RC (DeHi: Rodney Papers).

¹ See Samuel Huntington to Benjamin Huntington, September 24, 1779, note.

² For Dickinson's involvement in the ceremony attending the farewell speech of the French minister, which was read in Congress on September 17, see Dickinson's Draft Reply to Gérard, September 5, 1779.

John Fell's Diary

Saturday 25th [September 1779]

First day I went abroad since being Sick. It was moved that a Minister to Negotiate a Peace with great Britain and a great deal of disagreeable altercation and debate occasioned by Mr Lees being so often mention'd, at last Mr Jay, Mr Adams and Mr Lee were Put in Nomination,¹ Adjourn'd.

MS (DLC).

¹ Although Arthur Lee was repeatedly mentioned during the debate in Congress this day, only John Adams and John Jay were officially nominated for the post of minister to negotiate a treaty of peace with Great Britain. The names of all three men were advanced the following day for the position of minister to negotiate a treaty of alliance and of amity and commerce with Spain. See *JCC*, 15:1107, 1109–10.

Samuel Holten's Diary

[September 25, 1779]

25. Saturday. An express arrived here with the account, that the Count Estaing arrived of Georgia the 5th instant. I wrote to Mrs. Holten by Genl. Whipple (No. 76).¹ I'm unwell.

MS (MDaAr).

¹ Not found.

Wednesday Sep 25 1779 Commercial Committee
Congress After reading the Journals, the Delegates
moved for their motion made Yesterday to be entered
which caused a long debate on point of order
and I not being well. I left Congress.

Thursday 26th

First day I went abroad since being Sick. It was moved
that a Minister be Negotiate a Peace with Great Britain and
a great deal of disagreeable altercation and debate occasioned
by M^r Lee being so often mentioned at last M^r Jay M^r Adams
and M^r Lee were put in Nomination, Adjourned.

Sunday 26

Congress met: great debates as before, Balloted.
M^r Adams 5. M^r Jay 4. M^r Lee 1. no Choice. Balloted 2 times.
M^r Adams 6. M^r Jay 5. no Election.

John Jay to Thomas Chittenden

Gent

Pha. 25 Sepr. 1779

You will herewith recieve a Copy of an Act of Congress of the 24th Inst providing for the Settlement of all Disputes between the States of New Hampshire, Massachusetts Bay and New York relative to their Boundaries, & between those States and the People of a District of Country called the New Hampshire Grants who claim to be a separte Jurisdiction.¹ As the Reasons which induced Congress to pass this Act are set forth at large in it, I forbear repeating them—nor can I conceive it necessary to press your Attention to a Subject rendered important by many weighty Considerations which could not have escaped your notice.

You will be pleased to communicate this Act to the People of the District.²

I am Gentlemen, your most obt. & hble Servt.

J. J.

LB (DNA: PCC, item 14). In the hand of John Jay. Addressed: "To Thomas Chittenden Esqr. and others exercising Authority in the District of Country called the New Hampshire Grants, who claim an independent Jurisdiction therein. Bennington."

¹ Although it had appeared in June, with the appointment of a congressional committee to conduct an on-site inquiry, that Congress might soon recommend a settlement of the Vermont controversy, the New York legislature had begun to despair of such a result by August. Disappointed with the conduct of the committee appointed to visit Vermont, and convinced that every delay played into the hands of the separatists, the assembly therefore drafted new Vermont instructions for its delegates in Congress on August 27 and rushed them to Philadelphia by a special messenger, Charles Phelps. These the delegates presented to Congress on September 8, which were referred to a committee of five that submitted a report on the subject of the 17th. On September 24 Congress adopted the resolves enclosed with this letter, calling on New Hampshire, Massachusetts, and New York "forthwith to pass laws expressly authorizing Congress to hear and determine all differences between them relative to their respective boundaries," pledging in return to open hearings on Vermont by February 1, 1780, and to determine the controversy "according to equity." All parties were requested to refrain in the meantime from exercising any authority in the disputed territory. See *JCC*, 15:1036, 1078–80, 1090, 1094–99; PCC, item 40, 1:259–60, 301–8; Peter S. Onuf, *The Origins of the Federal Republic: Jurisdictional Controversies in the United States, 1775–1787* (Philadelphia: University of Pennsylvania Press, 1983), pp. 112–14; and Edmund B. O'Callaghan, ed., *The Documentary History of the State of New York*, 4 vols. (Albany: C. Van Benthuysen, 1851), 4:987–92. For Charles Phelps' September 21 report to New York on Congress' reception of the August 27 instructions, see *ibid.*, pp. 996–99. See also the following entry. For Congress' October 2 amendment of this September 24 resolve, see Samuel Huntington to Meshech Weare, October 3, 1779.

² Jay also enclosed this resolve with similar brief official letters of transmittal of this date to Gov. George Clinton of New York, and to the presidents of the councils of Massachusetts and New Hampshire, Jeremiah Powell and Meshech Weare. PCC, item 14, fols. 1, 189.

John Jay to George Clinton

Dr Sir

[September 25, 1779]

Whether the resolutions of Congress of the 24th Inst. herewith enclosed providing for the Settlement of all Disputes between New-York and her Neighbours, as well as revolted Citizens will please my Constituents as much as they do me is uncertain. Nor am I convinced of the Prudence of committing to Paper all the Reasons which induce me to think them (all Circumstances considered) perfectly right. Some of them however I shall communicate.

My first object on coming here was to prevail upon Congress to interpose though in the smallest Degree—well knowing that if they once interfered ever so little, they might with more Ease be led to a further & more effectual Interposition.

Soon after my Arrival here I found the following Objections to an interference with Vermont generally prevailing.

1. That Congress being instituted for the sole Purpose of opposing the Tyranny of Britain & afterwards of establishing our Independence had no Authority to interfere in the particular Quarrels of any State. Hence all their former Resolutions on the subject were merely *negative*.

2. That the confederation had not yet taken Place, & that the Business should be postponed till all the States had acceded, an Event then daily expected.

3d. That it was an improper Season to interfere, and that the Attention of Congress ought not to be diverted from the general objects of the War.

4. That harsh measures against Vermont might induce them to join the Enemy, & encrease their Force.

5. That they possessed a strong Country, were numerous, war-like & determined, & that more force wd be required to reduce them than could be spared from the general Defence.

These were some of the ostensible Objections—Besides which I had Reason to suspect the following private ones.

1st. That divers Persons of some Consequence in Congress and New England expected to advance their Fortunes by Lands in Vermont.

2d. That Vermont acquiring Strength by Time would become actually independent, & afterwards acknowledged to be so.

3d. That being settled by New England People & raised into Consequence by New England Politics it would be a fifth New England State and become a valuable Accession of Strength both in & out of Congress.

4. That ancient Animosities between New York & New England naturally inclin'g the former to side with the middle & southern States, the less formidable she was the better & therefore the Loss

or separation of that Territory was rather to be wished for than opposed.

These and many other Considerations of the like Nature induced me to postpone bringing on the Matter till I could have an opportunity of preparing the way for it by acquiring a Knowledge of the Characters then in Congress & ca.

It is also proper to observe that the House was for the greater Part of the Winter so *(distracted &c)* heated by Party Divisions on Points of great general Importance that it would have been improper & imprudent to have called upon Them to decide on this delicate Business till more temped and Calmness had taken Place—when these began to appear the Subject was introduced, and you have had a Copy of the Resolutions proposed by New York on that occasion.¹ Against them all the Objections before mentioned operated—with the additional one that it would be highly unjust & impolitic to determine against Vermont without previous Inquiry into the Merits of their Claims & giving them an opportunity of being heard. This Objection so far as it respected their claim to Independence was absurd tho plausible—but it was not to be overcome—And tho we might have carried a Resolution against it by a Slender Majority that Majority would have consisted of southern Members against a violent opposition from New England & their adherents. A Resolution carried under such circumstances wd. rather have encouraged than disheartned Vermont & was therefore ineligible.

Hence I conceived it to be expedient to promote the measure of appointing a Committee of Inquiry²—knowing that if Congress proceeded to inquire it would be a Ground for pressing them to go further and determine—especially as I was apprized that the Result of these inquiries would be in our Favor.

The Committee you know had no formal meeting—it nevertheless had its use. The individual Reports of the Members who composed it advanced our Cause, and even Mr. Witherspoon who was and is suspected by New York, made representations in our Favor.

Your last Resolutions were of infinite Service by evincing the Moderation, Justice, & Liberality, and at the same time the Spirit of the State,³ on the other Hand the law of Vermont for whipping, cropping, and branding your Magistrates made an Impression greatly to their Disadvantage. Before these Emotions should have time to subside, as well as in obedience to our Instructions, I pressed Congress from Day to Day to adopt such Measures as the public Exigencies called for, and thereby prevent the Flames of civil War from rage.

It would not I believe have been difficult to have obtained what some among you would call very spirited and pointed Resolutions, but wh in my opinion would have been very imprudent ones, because among other Reasons they wd. not have been unanimous.

You will find the Recitals and particular Resolutions numbered in the Margin of the Copy herewith enclosed, from 1 to 13.⁴ I shall trouble you with a few explanatory Remarks on each of them—under Heads numbered in like Manner.

1 & 2. These Recitals were inserted to shew the Reason why Congress now proceed without the Report of the Committee, after having resolved to postpone the further Consideration of the Subject till their Report should be made.

3. This Recital justifies the Facts set forth in your Representations, and in Case an appeal to the public shd become necessary, may be used with advantage to New York.

4. This Recital destroys the Doctrine that the union (independent of the Articles of Confederation) had no other object than Security against foreign Invasions.

5. This recital is calculated to impress the People with an opinion of the Reasonableness & Policy of the Requisition or Recommendation which follows, and therefore will the more readily induce these States to adopt the Measures recommended to them.

6. You may enquire for what Reasons I consented to this Recital, as it puts Massachusetts & New Hampshire on a Footing with New York whereas I well knew that New York alone had a Right to claim Jurisdiction over Vermont. My Reasons were these—Vermont extends over Connecticut River into the acknowledged Jurisdiction of New Hampshire—as to Massachusetts, the Recital admits only her *Claim*, not her *Title*—and it is as Impossible to deny the Existence of Claims when made as it is to prevent them. Their Delegates pointedly asserted & insisted on the Claim of Massachusetts, and it appeared to me expedient to provide for a speedy Determination of all Claims against us, however ill founded. You may further ask why Vermont was Made a Party? The Reason is this that by being allowed a Hearing the Candor and Moderation of Congress may be rescued from Aspersions, and that these People after having been fully heard may have nothing to say or complain of in Case the Decision of Congress be agt them—of which I have no Doubt.

7. It is true that by this Resolution the Merits of former settlements with these States will be again the Subject of Inquiry, Discussion, and Decision—and therefore it may at first Sight appear improper—but these Settlements will still remain strong Evidence of our Rights however objectionable they may be represented to be by those States. Nor will Congress be easily prevailed upon to annul them, because in that Case all their Boundaries would be afloat. Besides in my Opinion it is much better for New York to gain a permanent peace with their neighbours by submitting to these Inconveniences, than by an impol[it]ic Adherence to Strict Rights, and a Rigid Observance of the Dictates of Dignity & Pride remain exposed to perpetual Dissensions and Encroachmt. Peace and estab-

lished Boundaries under our Circumstances are I think almost inestimable.

8. The reason for this is assigned in last sentence under the 6th Head.

9. For the same Purpose of preserving the Appearance of Equality in Claims, whatever difference there may be in Titles, the three States are mentioned in this Recommendation. The object of it is a Settlement of all Disputes respecting interfering Grants, in Case Vermont should be abolished, and that District in Part or in the whole adjudged to either of the three States.

10. I am sure you will admit my Prudence in giving your voice for this Resolution.

11. As it was not absolutely certain that New Hampshire and Massachusetts would pass the Laws in Question, and as I was sure that New York would, It appeared to me highly expedient to provide by this Resolution that the Dispute between New York and Vermont should be determined, whether the other two States came in or no—And least the former Guarantee contained within 10 Resolution might be construed to be contingent and to depend on the Event of all the three States adopting the Measures recommended to them, it is here repeated. You will observe that neither of the three States are to vote on the Decision.

12. On the Plan of hearing Vermont this Resolution however inconvenient became indispensable. Care however has been taken in it to exempt every Person from their Jurisdiction who profess Allegiance to either of the three States. But you will say Why to the *three* States—Why not to New York only from whom they revolted and under whose actual Jurisdiction they last were? Because it would have clashed with the Equality of Claims before mentioned, and the least opposition to which wd. have prevented these Resolutions from being unanimous—a Circumstance in my opinion infinitely more valuable than the Preservation of useless Etiquette. And further Because the District is here so described as to extend over the River and affect New Hampshire. In a Word the necessity of the Resolution was so obvious that there was no avoiding it. Its Inconveniences will be temporary and if the Principles laid down in it are observed will not be very great—especially as Congress have determined a Violation of it to be a Breach of the Peace of the Confederacy, and have declared their Resolution to maintain it.

13. This Resolution needs no Comment the Policy and Justice of it being extremely evident. Anxious to avoid a Moments Delay in sending you these Resolutions I have not time by this opportunity of adding any thing further than that upon this occasion I have acted according to the best of my Judgment after having maturely considered and well weighed the Force and Tendencies of every Consideration and Circumstance affecting this great Business in Question. When I first recd. my special Commission I did not appre-

hend that this Matter was in a more positive manner confided to me than to my Colleagues, tho some of them considered it in that Light. The Commission vested me with no further Powers than what any other of your Delegates possessed nor was any Matter given more particularly in Charge to me than to the others by the Legislature. Their late Instructions however speake a different Language. I am satisfied to be viewed in that Light, that is to be the responsible Man, & provided the Measures I adopt are not thwarted I am confident that I shall be able to bring all these Matters to a happy Conclusion.

I hope however that this will not be considered as a Hint for my being continued in the Delegation. I assure you nothing but an adherence to the Resolutions & Principles of action I adopted and professed at the Commencement of the War, would induce me to remain here at the Expense of Health as well as property, for tho I shall always be ready to serve my Country when called upon, I shall always be happy to find it consistent with my Duty to remain a private Citizen.

I am Sir, Your Most Obedient Servant, John Jay

P.S. I forgot to mention that Mr Phelps has been enucleated, & therefore could not be the Bearer of the Dispatches.⁵ Be pleased to advise to this Distinction between *Laws & Resolutions*, and that the former are preferable in the general Estimation. I have very often been asked why our Legislature passed Resolutions rather than Acts for quieting Possessions in the Grants. Some suspected there was Finesse in it.

E N C L O S U R E.

In Congress 24th Sepr 1779.

1 Whereas on the first Day of June last Congress by a certain Resolution, reciting that "Whereas divers applications had been made to Congress on the part of the State of New York and of the State of New Hampshire relative to Disturbances, & animosities among Inhabitants of a certain District known by the name of "the New Hampshire Grants" praying their Interference for quieting thereof did resolve "that a Committee be appointed to repair to the New Hampshire Grants & enquire into the reason why they refuse to continue Citizens of the respective States which heretofore exercised Jurisdiction over the said District; for that as Congress are in duty bound on the one hand to preserve inviolate the Rights of the several States, so on the other they will always be careful to provide that the Justice due to the States, does not interfere with the Justice which may be due to Individuals.

"That the said Committee confer with the said Inhabitants, & that they take every prudent measure to promote an amicable Set-

tlement of all Differences & prevent Divisions & Animositities so prejudicial to the United States" and did further resolve "that the further Consideration of this subject be postponed until the said committee shall have made report."

2 And whereas it so happened that a Majority of the Committee appointed in pursuance of the aforementioned Resolutions did not meet in the said District and therefore have never executed the Business committed to them, or made a regular Report thereupon to Congress, Ordered that the said Committee be discharged.

3 And whereas the animositities aforesaid have lately proceeded so far and & risen so high as to endanger the internal Peace of the United States which renders it indispensably necessary for Congress to interpose for the Restoration of quiet and good order.

4 And Whereas one of the great objects of the Union of the United States of America is the mutual Protection and Security of their respective Rights.

5 And Whereas it is of the last Importance to the said Union that all Causes of Jealousy & Discontent between the said States should be removed, and therefore that their several Boundaries and Jurisdiction be ascertained and settled.

6 And whereas Disputes at present subsist between the States of New Hampshire, Massachusetts Bay & New York on the one part, and the People of a District of Country called New Hampshire Grants on the other, which People deny the Jurisdiction of each of the said States over the said District; and each of the said States claim the said District against each other as well as against the said People, as appertaining in the whole or in part to them respectively.

7th Resolved unanimously, That it be and hereby is most earnestly recommended to the States of New Hampshire, Massachusetts Bay & New York forthwith to pass Laws expressly authorising Congress to hear & determine all Differences between them relative to their respective Boundaries in the mode prescribed by the Articles of Confederation so that Congress may proceed thereon by the First Day of February next at farthest.

8 And *further* that the said States of New Hampshire, Massachusetts Bay & New York do by Express Laws for the Purpose refer to the decision of Congress all Differences or Disputes relative to Jurisdiction, which they may respectively have with the People of the District aforesaid, so that Congress may proceed thereon on the said first day of February next.

9 And *also* to authorise Congress to proceed to hear & determine all Disputes subsisting between the Grantees of the several States aforesaid with one another or with either of the said States respecting Title to Lands lying in the said District to be heard and determined in the mode prescribed for such Cases by the Articles of Confederation aforesaid: And further to provide that no Advantage be taken of the Non-performance of the Condition of any of the

Grants of the said Lands, but that further reasonable Time be allowed for fulfilling such Conditions.

10 Resolved unanimously That Congress will and hereby do Pledge their Faith to carry into Execution & support their Decisions & Determinations in the Premises in favour of whichever of the Parties the same may be, to the end that permanent Concord & Harmony may be established between them, & all cause of uneasiness removed.

11 Resolved unanimously, that Congress will on the said first Day of February next proceed without Delay to hear & examine into the Disputes & Differences relative to Jurisdiction aforesaid between the said three States respectively, or such of them as shall pass the Laws before mentioned on the one Part & the People of the District aforesaid who claim to be a separate Jurisdiction on the other; And after a full and fair hearing will decide & determine the same according to Equity, and that *neither of the said States shall vote on any question relative to the Decision thereof*. And Congress do hereby pledge their Faith to execute & support their Decisions & Determination in the Premises.

And Whereas it is essential to the Interest of the whole Confederacy that all intestine Dissentions be carefully avoided & domestic Peace & good Order maintained.

12 Resolved unanimously That it is the Duty of the People of the District aforesaid who deny the Jurisdiction of all the aforementioned States to abstain in the meantime from exercising any Power over any of the Inhabitants of the said District who profess themselves Citizens of or to owe Allegiance to any or either of the said States: But that none of the Towns either on the East or West side of Connecticut River be considered as included within the said District, but such as have heretofore actually joined in denying the Jurisdiction of either of the said States, and have assumed a separate Jurisdiction, which they call the State of Vermont. And further that in the opinion of Congress the said three States afore-named ought in the mean time to suspend executing their Laws over any of the Inhabitants of the said District except such of them as shall profess Allegiance to and confess the Jurisdiction of the same respectively. —And further that Congress will consider any violences committed against the Tenor, true Intent & meaning of this Resolution as a Breach of the Peace of the Confederacy which they are determined to keep and maintain: And to the end that all such violences & breaches of the public Peace, may be the better avoided in the said District; It is hereby recommended to all the Inhabitants thereof to cultivate Harmony & Concord among themselves to forbear vexing each other at Law or otherwise & give as little occasion as possible to the Interposition of Magistrates.

13 Resolved unanimously, That in the Opinion of Congress, no unappropriated Lands or Estates which are or may be adjudged forfeited or confiscated lying in the said District, ought until the final Decision of Congress in the Premises to be granted or sold.

Ordered, That Copies of the aforegoing Resolutions be sent by express to the States of New York New Hampshire and Massachusetts Bay, and to the People of the District aforesaid; and that they be respectively desired to loose no time in the appointing their Agent or Agents & otherwise preparing for the hearings aforesaid.

The aforesaid Resolution being read over and a Question taken to agree to the whole,

Resolved unanimously in the affirmative.

Extract from the minutes.

Cha. Thomson, Sec'y.

FC (NNC: Jay Papers). In the hand of John Jay, and endorsed by him: "To Gov. Clinton 25 Sept 1779." Enclosure: reprinted from Edmund B. O'Callaghan, *The Documentary History of the State of New York*, 4 vols. (Albany: C. Van Benthuysen, 1851), 4:992–95.

¹ See Jay to Clinton, May 22, 1779.

² See Jay to Clinton, June 1, 1779.

³ For these "resolutions," the New York legislature's instructions on Vermont of August 27, 1779, see the preceding entry, note 1.

⁴ Although the "copy herewith enclosed" has not been found, it was doubtless this text that Edmund B. O'Callaghan printed in his *Documentary History* and which has been reprinted as Jay's enclosure to this letter. It is the only text of Congress' September 24 resolves to which Jay's numbers "from 1 to 13" correlate.

⁵ Two other excellent sources on New York's efforts to secure a settlement of the Vermont controversy at this time consist of the reports of Charles Phelps, the special messenger sent by the legislature to deliver its August 27 instructions to the state's delegates in Congress. Phelps' report of September 14, 1779, in which he explained his efforts to enlist the support of John Dickinson in behalf of New York's claims, is item no. 2778, Emmet Collection, NN. His September 21 report is in O'Callaghan, *Documentary History*, 4:996–99. For Jay's later expression of a want of confidence in Phelps, and evidence that he was also paid by the state of Massachusetts for his "unwearied attention" to the state's claims in the New Hampshire Grants, see Jay to Clinton, October 7, 1779, note 1.

John Jay to Conrad Alexandre Gérard

Sir

Philadelphia, Sepr [25] 1779

I have the honor to assure you that Congress are much obliged by your Communication of the 7th Instt. and are happy that you will be able to contradict from the fullest Evidence every Insinuation which may be made prejudicial to the Faith & Honor of these united States.¹

I have the Honor to be with perfect Respect and Esteem, your most obedient & most hble Servt.

John Jay, Presid.

RC (Archives du Ministère des affaires étrangères: Correspondance politique, États-Unis, Supplement, vol. 1).

¹ Gérard's "Communication of the 7th" consisted merely of an extract of a letter from the comte de Vergennes to Gérard's successor La Luzerne, dated June 29, 1779, announcing Spain's diplomatic break with Great Britain and decision to join forces with France. Threatened with a joint Franco-Spanish attack, Vergennes went on to explain, Britain was apparently preparing to send "two emissaries to Congress

with the offer of a truce, and even with power to withdraw all the English forces if America will determine to give up our alliance and to separate herself from us." Although he presumed that Congress would be above such treachery ["trahison"], he believed that it would be expedient to remind the delegates that the consequences of attempting to treat separately with Britain would be disastrous.

Vergennes' letter was read and referred to committee on September 7, but not until the 25th was a committee report submitted and taken up by Congress, at which time the present letter to Gérard was adopted as a substitute for the reply drafted by committee chairman William Churchill Houston. Congress apparently considered America's solidarity a touchy subject and preferred letting Gérard return to France with a verbal assurance of the United States' commitment to the alliance rather than attempting to return a precise, formal reply. See *JCC*, 15:1034, 1104–5, where Houston's draft response is printed in full from the text in PCC, item 25, 1:161–62.

The extract of Vergennes' letter that Gérard submitted to Congress is in PCC, item 94, fols. 399–402, and is endorsed: "Intelligence communicated to Congress from the Minister of France. Read Sept. 7. 1779, referred to Mr. Houston, Mr. Matthews, Mr. Huntington." A translation of it is in Wharton, *Diplomatic Correspondence*, 3:310. It is dated June 26, 1779, in the text in Archives du Ministère des affaires étrangères: Correspondance politique, États-Unis, 8:141. For Gérard's September 7 report to Vergennes explaining his delivery of this extract to Congress, see Meng, *Gérard Despatches*, pp. 873–77. For the delegates' initial response to Vergennes' intelligence, see also John Fell's Diary, September 6–7; and John Dickinson to Caesar Rodney, September 8, 1779.

John Jay to the Marquis de Lafayette

Sir

Pha. Sept. 25 1779

I have had the honor of receving & communicating to Congress your Favor of the 12 June last.¹ The Sentimts of attachment & affection for these States expressed in it are highly agreable to Congress. It is with Pleasure they hear that your Royal Master entertains the same opinion of your merit with which your good Conduct impressed the People of these States and tho your fellow Soldiers here regret your absence, they will sincerely rejoice in your acquiring Laurels abroad.

Your Continued Attention to whatever may be interesting to America is a mark of your Zeal for her Cause and very pleasing to Congress.

Be assured Sir of our warmest wishes for your Health, happiness and Glory, and that I have the Honor to be, with great Respect & Esteem, Your most obt & most hble Servt.

FC (NNC: Jay Papers). In the hand of John Jay.

¹ Lafayette's June 12 letter to Jay, in which he mentioned his appointment to command the King's Regiment of Dragoons, was written from France, where the marquis had been on furlough since February 1779. See PCC, item 156, fols. 89–94; and Lafayette, *Letters* (Idzerda), 2:272–75.

Henry Laurens' Notes of Debates

[September 25–27, 1779]¹

Saturday 25th Septr. 1779.

Nominations for a Minister Plenepotentiary to treat with the Court of Great Britain for Peace and Commerce.

Mr. John Adams by Mr. Laurens.

Mr. Jay by Mr. M. Smith.

Sunday 26th Septr.

1st Ballot—5 States for Mr. Adams	}	abortive.
4 for Mr. Jay		
3 divided		

2nd Ballot—6 States for Mr. Adams	}	abortive. ²
5 for Mr. Jay		
1 divided		

Resolved to appoint a Minister Plenepotentiary in lieu of a Commissioner³ to treat with the Court of Spain on Alliance, and for Amity and Commerce. ☞ *Manoeuvre*

Nominated

Mr. Arthur Lee by Mr. Laurens.

Mr. John Adams by Mr. Paca⁴

Mr. Jay by Mr. Mercer.

Ballot⁵—New Hampshire for Mr. Lee⁶

Massachusetts	}	Mr. Jay ⁷
Connecticut		
New York—Mr. Jay's own vote was necessary		
New Jersey		
Delaware		
Maryland		
Virginia		
North Carolina	}	divided, and did not vote.
Rhode Island		
Pennsylvania		
South Carolina		

Ballot for a Minister to treat with the Court of Great Britain.

For Mr. John Adams, eleven States.

One State either pertinaciously or inadvertently voted for Dr. Franklin⁸—the ballot according to rule not counted, as Dr. Franklin had not been nominated, therefore the vote for Mr. Adams unanimous.⁹ & I congratulate with my Country upon the occasion.

H. L.

MS (ViU: Lee Family Papers). In the hand of Moses Young.

¹ These notes may be part of a number of documents Laurens prepared for Richard Henry Lee, for which see Laurens to Lee, September 28, 1779, note 6.

² This balloting is also noted in the journals of Congress and the diary of John Fell, and it is recorded in greater detail in the correspondence of James Lovell. Because

Worthington C. Ford erroneously repeated a passage from Secretary Thomson's secret journal of foreign affairs, upon which Ford's published entry is based, Burnett mistakenly assumed that three rather than two ballots were taken this day. See *JCC*, 15:1109; *PCC*, item 1, 23:94, item 5, 1:332–33; Burnett, *Letters*, 4:437n.2; John Fell's Diary, September 26; and James Lovell's letters to John Adams and to Richard Henry Lee, September 27, 1779.

³ The resolve adopted by Congress on September 26 did not include the words "in lieu of a Commissioner," which were added, on motion of Samuel Huntington, the following day. See *JCC*, 15:1109, 1112.

⁴ At this point "divide & Conquer" appears in Laurens' hand in the margin.

⁵ This ballot and the remainder of Laurens' notes pertain to events of Monday, September 27.

⁶ At this point Laurens added above the line: "To the honor of Mr. Langdon."

⁷ At this point Laurens added below "Mr. Jay": "squeezed in."

⁸ That Laurens is here referring to the vote cast by John Dickinson for Delaware is clear from references to this ballot in James Lovell to John Adams, September 28, and Elbridge Gerry to John Adams, September 29, 1779.

⁹ Remainder of MS in the hand of Henry Laurens.

Maryland Delegates to Thomas Johnson

Sir. Philadelpa. Sep 25th. 1779

The Enclosed Extracts¹ will inform Your Excellency of an embarkation taking place at New York. Where the Troops are destined is not known. Mr. Fox's conjecture seems probable from the circumstance he mentions, that several of the Virga. Refugees are preparing to go with this embarkation.

We send you the proposed Bill for taking off the embargo in Pennsylvania, which we think will certainly pass.

We have the honor to be with the most perfect esteem & respect, Sir, Your Excellency. Obedt. Servt. Wm. Paca

James Forbes

Daniel of St Thos Jenifer

P.S. Mr. Fox left N.Y. on Monday the 20th Inst. & say[s] that Goodridge was to go with the Fleet.²

RC (MdAA: Red Books). Written by Jenifer and signed by Jenifer, Forbes, and Paca.

¹ The two enclosures—an extract from Washington's September 19–20 letter to Congress reporting the embarkation of an estimated 8,000 British troops from New York, "destination unknown," and a September 24 letter from Edward Fox to James Forbes speculating that the troops were bound "for the State of Virginia"—are in the Red Books, 5:39–40, MdAA. They had been read in Congress this day. *JCC*, 15:1103.

² Fox, who was in Philadelphia at this time, had not mentioned "Goodridge" in the enclosure sent with this letter, but he had reported that "several of the *Virginia refugees* are making preparations to go with this embarkation." Apparently raids conducted by the notorious Goodrich family of Virginia were so feared and well known, Jenifer assumed that Johnson would understand this cryptic remark. For previous references to the Goodriches, see these *Letters*, 6:189, 10:497, 638, 643; and Jefferson, *Papers* (Boyd), 2:174n.

North Carolina Delegates to Richard Caswell

Sir

Philadelphia Sepr. 25, 1779

We have the Honor to inclose to Your Excellency, extract of a Letter to Congress received this Morning from General Washington relative to the Embarkation taking place at New York; Also Copy of a Letter from Mr. Fox lately from that City which Coroborates the Intelligence recieved from General Washington.¹ We thought it our Duty to transmit this Account to your Excellency by an express just setting off for Charles Town, as the State of North Carolina must be deeply Interested in the destination of this formidable Armament, should it be intended against either of the Southern States.

We also inclose an extract of a Letter from the Count De Vergennes to Mr. Gerard;² whether these Emmisaries will appear in a public or private Capacity is not known, it may not perhaps be amiss for the Executive Authorities of the Several States to have an eye upon all Strangers.

You will in a Short time recieve from Congress their resolutions in regard to the Supplies expected from the States and the Quotas Apportioned to Each.³

We have recieved no Interesting intelligence from Head Quarters except what has been mentiond above. We beg leave to refer Your Excellency to the Inclosed papers for further News. And have the Honor to be with respect, Your Excellencys Most Obedt Huml Servts.

Joseph Hewes

Cornl. Harnett

Wm. Sharpe

RC (PHi: Gratz Collection). Written by Hewes and signed by Hewes, Harnett, and Sharpe.

¹ See the preceding entry, note 1.

² For this letter see John Dickinson to Caesar Rodney, September 8; and John Jay to Conrad Alexandre Gérard, this date.

³ See John Jay to the States, September 26, 1779.

John Fell's Diary

Sunday 26 [September 1779]

Congress met. Great debates as before, Balloted. Mr Adams 5, Mr Jay 4, Mr Lee 1. No Choice. Balloted 2d time, Mr Adams 6, Mr Jay 5. No Election.

MS (DLC).

John Jay to the States

Sir, (Circular) Philada. 26th Sepr. 1779.

You will receive herewith enclosed a copy of an Act of Congress of this day earnestly recommending it to the several States to exert themselves in furnishing the allied Armaments in America with such Aids of Men & Provisions as may enable them to operate effectually against the common Enemy & expell them from this Country.

The Reasons for this Recommendation are fully assigned in the Preamble to the Resolution.¹ I forbear therefore to multiply Arguments to induce a compliance with a Requisition which every motive of Interest, Safety, Honor, & Regard to the Alliance loudly call upon every American to regard & fulfil.

I have the honor to be Sir, With great Respect & Esteem, Your most Obedient and Humble Servant, John Jay. Presidt.

RC (M—Ar: Revolutionary War Letters). In the hand of Henry Brockholst Livingston and signed by Jay. This letter was not entered in the presidential letterbook. This text is taken from the letter Jay addressed to Jeremiah Powell, President of the Council of Massachusetts.

¹ This preamble contained an announcement of “the arrival of Count d’Estaing with a powerful fleet to co-operate with these United States,” which was conveyed to Congress on Sunday September 26 by Conrad Alexandre Gérard. See *JCC*, 15:1108; and *PCC*, item 94, fols. 389–93, 403–10. Although this unusual Sunday session was convened primarily to elect “a minister plenipotentiary for negotiating a treaty of peace,” the day’s proceedings actually began with the consideration of the French minister’s announcement that d’Estaing had been reported off the coast of Georgia on September 5 and that his fleet was in great need of provisions.

Henry Laurens to Jonathan Trumbull, Sr.

Dear Sir, Philadelphia 26th Sepr. 1779.

On the 12th Inst. I had the honor of receiving Your Excellency’s Letter of the 6th together with the several Papers referred to in a list which came inclosed.¹

The french Papers were immediately put into the hands of our public translator,² the work being long he detained it five days, as soon as he returned it, I gave notice to Congress that I had received such dispatches from Your Excellency & should beg leave to present them the next day. When that day arrived I found it impracticable to obtain a reading & patient hearing & so the next & the next Congress being anxiously engaged either on the Vermont or foreign affairs to the exclusion even of public dispatches—I then judged it necessary to consult the Honorable Mr. Huntington on the expediency of detaining Mr Brown. He was with me clearly of opinion, he ought to be dispatched because we could discern no prospect of introducing the Papers properly before the House in any certain

reasonable time. I had therefore intended Mr. Browne should have gone away early yesterday but from a variety of public calls I could not accomplish my wish.

I rose this Morning an hour before day & am now writing by Candle light in order that he may begin his journey early.

Paper printed in low dutch is in the hands of a Gentleman for translation, who intimated that it will be a work of some days, when this is done all the Papers shall be offered to Congress & afterward returned to Your Excellency, when I shall endeavor to reply particularly to such parts of the Letter abovementioned as from necessity I am obliged to pass over at present.

The Packet for the Baron van der Cappellen will go in the Frigate Confederacy committed to the care of Mr. Gerard to be forwarded agreeable to Your Excellency's desire.

Your Excellency may freely command me in everything in my power for forwarding the inclinations of Mr. John Trumbull, but I don't think there's an opening for him in a public Character abroad,³ & were he my Son I should dissuade him from an attempt of that kind in the present temper of the times—I might have said, distemper.

Last Night I received advice by Express of the arrival of Count d'Estaing with 20 Sail of the Line, 10 Frigates, & 5000 Landforces on the Coast of Georgia & So Carolina, Gen Lincoln was in motion for cooperating with the Count & there was a prospect of capturing the Enemy at Savanna & Beaufort, or at least of scattering them in confused flight through the Woods toward East & West Florida, even the latter will be an high advantage to us & bring disgrace on them in the Eyes of their Savage connections, who will probably take part against them in their disaster. The season of the Year, the beginning & middle of September, is rather against the Count, he had determined to remain in that enterprize but a few days, whence I presume we shall hear of him in this Neighborhood early in October.

Yesterday arrived here a prize Armed Brigantine of 14 Cannon & upwards of 70 Men lately commanded by a Lieutent. of Sir George Collier, captured by the Pickering of Salem & also a Transport Ship with about 300 Hessians, taken by Capt. Taylor in a private Ship of War of this Port. These added to other late Marine successes will nearly balance our very unfortunate Penobscot account.

Congress will this day (Sunday) Vote for a Minister Plenipotentiary for negotiating in due time Treaties for Peace & Commerce with Great Britain; the Candidates are only two, Mr. John Adams & Mr. President Jay, if I penetrate bosoms there will be no choice unless Mr. Jay shall think & act as I would on such an occasion.

"I hear there be divisions among you" who can read the Yeas & Nays & not "believe it" at least in part. From the beginning I wished to explode those Yeas & Nays, which Your Excellency seems displeased with. The State from whence I came, at a time, directed their Delegates to call for them on every Vote. The Call is certainly

right & useful on some occasions & Men will choose for themselves, sometimes they are held out in terrorem & the menacer will appear afterwards desirous of expunging. When I detect a Cunning Crafty Man in this trick, I baulk him—being called for & taken let the prompter & his produce appear before his fellow Citizens.

A heavy weight lies on my mind from a consideration of the wretched state of our Paper Currency, Congress determined a fortnight since & more to make no Emissions beyond 200,000,000 Dollars, we are verging fast to that amount, yet not one solid step trodden in the Road of future ways & means for replenishing our Treasury & carrying on the War, we have in my humble opinion inverted the order of things, made that an harbinger which in wisdom ought to have been secondary, will the Chapter of accidents again relieve us? God only knows.

I dare not detain Mr. Brown a moment longer therefore I must for the present take leave by assuring Your Excellency that I continue with the most sincere Respect & Esteem, Sir, Your obliged & most obedient servant,

Henry Laurens

RC (PHi: Gratz Collection).

¹ Trumbull's September 6 letter to Laurens is in the William Gilmore Simms Collection of Laurens Papers, MHi microfilm. A transcript of it is in the Laurens Papers, no. 16, Schi. With it, Trumbull had enclosed a 1777 letter he had written to Baron Joan Derk van der Capellen, the baron's December 7, 1778 reply (both in French), a "protest of the City of Amsterdam in Dutch," and his long letter to the baron of August 19, 1779.

In his December 7 letter to Trumbull, Van der Capellen had explained that the credit of America in Amsterdam had been injured by "the false intelligence which the English incessantly circulate," and appealed for information to counter the effects of British propaganda. Trumbull therefore undertook to supply such information—in a 30-page letter to the baron covering the history of the American colonies from 1620—and submitted his product to Congress for perusal before posting it to Holland. Trumbull's letter is in *Collections of the Massachusetts Historical Society*, 1st ser. 6 (1799): 154–85. Van der Capellen's letter and enclosures, with English translations, are in PCC, item 78, 23:89–144.

For the disposition of these documents, whose consideration was delayed until after an additional packet of Trumbull letters concerning prospects for a Dutch loan was submitted to Congress on October 13, see Laurens to Trumbull, October 19, 1779, note 1. See also Jan Willem Schulte Nordholt, *The Dutch Republic and American Independence*, trans. H. H. Rowen (Chapel Hill: University of North Carolina Press, 1982), pp. 21–30.

² Paul Fooks. For his June 2, 1778, appointment as "interpreter and translator of languages to Congress," see *JCC*, 11:562.

³ Trumbull had explained that his son John "hath an inclination to visit Europe," and wondered if while abroad he might be usefully employed in some capacity with the American commissioners or agents there.

Maryland Delegates to Thomas Johnson

Sir,

Phila. Sepr. 26th. 1779.

Your Excellency will be informed by the enclosed Deposition of a number of Villains in the States of Maryland & Virginia concerned in Counterfeiting the Currency of the United States.¹

As Secrecy & expedition are necessary towards bringing these Wretches to punishment, We have not the least doubt but that your Excellency, & the Coun[cil] will adopt such measures you may deem necessary for accomplishing this and are with the greatest respect & Esteem, Sir, your Excellencys most Obedient Servants,

Wm. Paca

Wm. Carmichael

James Forbes

Daniel of St Thos Jenifer

P.S. The enclosed Letters were referred to the Maryland Delegates who have not been able to get information of any such man in our State.² They therefore refer the same to your Excellency & the Council.

The Count De staigne with his Fleet and Army are off Georgia.

RC (MdAA: Red Books). Written by Jenifer and signed by Jenifer, Carmichael, Forbes, and Paca.

¹ This September 10 deposition of Mark Milliken, who had engraved counterfeit plates and made prints for a number of persons in Maryland and Virginia, is in the Red Books, 5:42, MdAA.

² The "enclosed letters" dealt with the efforts of James Tagart of Jamaica to obtain a pass "from Congress or some Executive power" so that he might "make Remittances" to his family in Maryland. Captured aboard a vessel bound for New York, Tagart had been exchanged in Hartford whence he obtained leave to go to New York. He appealed to a fellow parolee, William Alexander Livingston, who had recently returned to Basking Ridge, N.J., asking him to intercede "with your friends and Relations." Livingston thereupon wrote to Gov. William Livingston, who in turn referred the matter to Congress in a letter of September 20. The governor's letter, with its enclosures, was read on September 25 and referred to the delegates of Maryland. See *JCC*, 15:1103; and the Red Books, 5:37–38, 86, MdAA.

John Fell's Diary

Monday 27th [September 1779]

Coml Committee. Congress. Agree'd that a Minister Plenopentiary be appointed for the Court of Spain. Mr Jay was appointed. Agreed that a Minister Plenopentiary be appointed to negotiate a Peace with great Britain.

Mr. Adams was Elected.

MS (DLC).

Samuel Holten's Diary

[September 27, 1779]

27. Monday. Congress appointed, The Honble J. Adams Esqr. to negotiate a Peace, & the honl. Mr. Jay Ministr. Ple[nipotentiary] to the Court of Spain. No post this day.

MS (MDaAr).

Henry Laurens to John Laurens

My Dear Son.

Philadelphia 27th September 1779.

I writ to you the 21st Inst. by Colo. Malmadi. The 25th your favor supposed to have been penned the 7th reached me, & announced the arrival of Count d'Estaing on the American Coast, if the Count has adhered to his Resolution of remaining with you only eight days, 'tis to be apprehended his achievements in Georgia & So Carolina will not excite a nine days wonder; that slackness in our Militia which you complain of, is very illy fitted to the Count's spirit for enterprize & celerity—be this as it may, I expect, at least, this good effect from his appearance, that the Enemy will scamper off & overturn the Wright government in Georgia & all its appendages, & I hope for greater things.

Congress have authorized General Washington to Co-operate with the French Admiral & General in such manner as he shall judge conducive to public good without applying to them for further directions & have strongly recommended to the middle & eastern States to give the General all possible aid of Men & Provisions & also to furnish Provisions of flour &c for the use of the Fleet & Army of our Ally.

That Assembly met yesterday for the sole purpose of appointing a Minister Plenipotentiary for treating with his Britanic Majesty on Peace & Commerce, an Act which in my estimation is extremely premature. Mr. Adams & Mr. Jay were nominated, the Ballots twice taken without effect—1st Ballot 5 for Adams, 4 for Jay, 3 states divided—2d, 6 for Adams, 5 for Jay—South Carolina divided. My Colleague had laboured hard two days for carrying a resolution to disqualify any Member of Congress or any one who had been a Member within nine preceeding Months for any office of trust or emolument under Congress—I opposed the Resolution but coincided in the Idea & wished it might be understood by the whole House that a Member should not be appointed, among other reasonings my Colleague in favor of his Motion had urged, that the appointment of a Member to be a foreign Minister would be degrading; by sending one from sovereignty into servitude—you can't suppose I

could hear such sentiments & forbear laughing inwardly—finding me to be clear in his opinion that on the present occasion we ought not to appoint a Member, he earnestly requested me to think of a proper Character out of doors, after some hours reflection I named to him Mr. John Adams as a Gentleman in every respect well qualified, against whom there could be no exception & to whom these States were much indebted—there rested the matter, until the proposed Resolution & its proposed amendment were ousted by Yeas & Nays. When the Ballots were about to be taken, my Colleague declared for Mr. Jay, I expostulated with him on what had passed between us; observed, that among other motives, I had nominated Mr. Adams on his own principles & candidly & honestly declared to him such exceptions against Mr. Jay as neither himself nor any Man could remove. He nevertheless persisted & South Carolina was deprived of a Vote. I explained to Congress in terms nearly as above written the ground of our division as an apology for my own conduct.

I think no honest Man will censure me, nor would I have it understood that I mean to censure Mr. Mathews, we are perfectly good friends & I believe him to be a very honest Man. I am also persuaded he had not been let into the secret of his self-denying motion, but this must be reserved as a subject for a future moments discussion.¹ These things I say to you & to my good friend Gervais, & to no body else, unless you shall find it necessary, which I hope will never happen.

Mr. Solikifer has just informed me, that Sir Charles Hardy's Cruize had been made for reconnoitering & scouring the British Channel, finding it clear, he had returned into Port & immediately after, a fleet of upwards of forty Sail of Merchant Men, probably under some small convoy sailed from Spithead or some port in England, these were more lucky than Sir Charles, they fell in with the french or perhaps the combined Fleets, & were every skin of them conducted into Brest—this, Mr Solikoffer says he read in a Letter from Bourdeaux 42 days old & he is gone to look for the Letter, if it comes in proper time you will receive an extract.

When I writ to Mr. Gervais yesterday² I held my self confined to a moment & said I should not write to you, but a violent rain & other circumstances I suppose were impediments to Mr. Down's departure earlier than this Morning. You will now be so good as to present my Love to my friend & communicate these contents. I learn your black Air Castle is blown up,³ with contemptuous huzzas—a Man of your reading & of your Philosophy will require no consolatory reasonings for reconciling him to disappointment. I pray God to bless & protect you.

Henry Laurens.

RC (ScHi: Laurens Papers, no. 34).

¹ At this point in the manuscript Laurens inserted an asterisk, to which he keyed the following note written on a separate sheet.

"This Morning Monday the 27th September according to my imaginary foresight

will be devoted to the appointment of a Minister Plenipotentiary to treat with the Court of Spain, on Alliance & Amity & Commerce.

"Mr. Lee will be, as tis intended & expected, superceded by Mr. Jay, an avowed & inveterate Enemy. God's will be done."

² Not found.

³ Undoubtedly a reference to John's proposal for raising a regiment of black troops in South Carolina, which his father had advised him to drop. See these *Letters*, 8:636, 678, 9:38–39, 193.

James Lovell to John Adams

(Confidential) Monday 27th of Sepr. [1779]

Not knowing, my dear Sir, how certain Things now in agitation may this day be terminated here, I chuse to state, at this time, some Proceedings two days old, that I may not be thought to give them a Gloss in the Stile of an *After-Prophet* turned Historian or Painter. For a Ground Work I refer you to the Report of the Comtee of 13 with its consequent Yeas & Nays, which is certainly now in your Hands in print; and also to what you must have some how or other come to the Knowledge of, respecting a long Struggle about Cod and Hadock,¹ and further, to your own Reading and Judgment concerning the parliamentary Propriety of appointing a Man to carry into effect by all the Powers of skilful Negociation, a Measure to which he has been opposed Tooth & Nail in the whole preparatory Progress of it. Nor can I omit to call to yr. mind what I already must have written either to you or the lovely Portia—that the *Lentor of Proceedings here* should account for the *Appearances* of Injustice done you by an Assembly, 9/10ths of which profess, and probably have, an Esteem for you. Two Things are to be transacted with Britain, a Major & consequent Minor,² as soon as her Madness & Folly begin to subside. But only one Agent is to manage them. The Commissions are drawn and Instructions also. The Blanks are to be filled. Doctr. F——³ was nominated, *out of order*. This led one Man⁴ to suggest that he should find himself obliged when such a Nomn. shd. again be attempted, and *done in order* to follow it with the Nomination of Doctr. L——⁵ as a *much more suitable Character*, which he would endeavor to make plain by various Testimonies in his Possession part known & part yet unknown to the Assembly. A Question was then moved by a Gentleman in that Company named Mathews & seconded by one named Lovell⁶ that no Member, while there acting, or for nine months after, should be elected to a place for which he or another for him recd. &c [*i.e. a salary etc.*—by Yeas and Nays the nine months part was lost and the other part by the previous Question. J Adams was nominated by Mr. Laurens & J Jay by Mer. Smith. Adjourned to meet on the next day (Sunday) at 10 oClock, met; baloted, 5 for J A, 4 for J J, 3 could not agree. On a 2d Tryal 6 for J A, 5 for J J; one could

not agree. The *mover* of the motion above not being likely to consent with his Colleague to carry it into effect, The baloting was postponed.⁷

It had been frequently pressed on the members to order some Resolves now on the Table, and but very lately passed (respectg. points on which the temper of Spain towards us greatly depends) to be forwarded to the Commissioner at that Court, as answers to the Questions which he hinted to us in 6 days after the Treaties with France, again on the 2d of Apr., again plainly & urgently for our Answr. on Augst. 27 again more urgently on Oct 19 again on Decr. 5th &c. &c.⁸ A cut and dried Commission such as must pass hereafter was produced, moved for & seconded *out of order*. A motion was then made & seconded for chusing a *Minister* plenipotentiary to do exactly what a *Commissioner* is now fully authorised to do; as much so, exactly, as were the 3 at the Court of France. The *Pretence* for this was the *accepted* 2d Paragraph of a Report—vid Apr 15th that *Ministers* plenipotentiary were only necessary at Versailles & Madrid.⁹ The Spirit and Intent of which Paragraph lay in the word *only* and not in a technical use of Ministers as settled by France and us on the Arrival of Mr. Gerard. Some good and not *young* Men, on this question, saw not the *Trap* under the *Chaff*. Who could deny that we have assented to additional parade & expence in a *Minister* above a *Commissioner*? Who could deny that two Persons would be in pay, *for a time, at once*, to do the same business? Who could deny that A. Lee's compleat Vindications were on the Table of Congress? This last Matter and all characterising was said to be *untimely*, as much as in a question about creating a Quarter Master *General* when we had a Quarter Master; for that A Lee stood as fair for *nomination* to the *new* Commission as any Man else, and *then* we should be allowed full Liberty to speak to Character. A *Majority* can thus kill but it requires *seven* to make alive. But seven thus killed. For, Mr. Laurens tho' he spoke against the Question voted for it, and then nominated A Lee. This last act of his in such a desperate case does not make up for depriving a much injured man of the advantage of showing that he was artfully knocked down by six upon a presumption that seven could not be found to assist in recovering him from the Violence of the Blow.¹⁰ Mr. J. Adams was also nominated for Spain by Mr. Paca, Mr. *J Jay* by Mr. Mercer of Virga.

This Accommodation Scheme had been proposed in Whispers early in the Morning, to provide places for the *two* nominated the day before. One to have a Post of the highest honor, and the other to take the Post of a Man murdered on purpose to make Room.¹¹ Are not these doings a compleat Appendix to the Report of the Comtee of 13 and the proceedings thereon months ago? Look at the Names! Here I must join in an old Exclamation of F. L. L.¹² when he had seen a whole day wasted. "What d——d dirty Work is this of Politicks"!

I will now state the votes, Remarking, that, being Sunday, Mr. McKean was able to attend; but yr. *sworn Friend* the Farmer¹³ will

alone finish it. N Yk is represented by Mr. Jay & Mr. Lewis, not by one. N Jersey by Mr. Fell & Mr. Houston. Con[necticu]tt by Mr. Huntingdon or Mr. Root.

1st Ballot ¹⁴	2d Ballot	1st	2d
J A	J A	J J	J J
N H	"	N Yk	"
Mass	"	Maryl.	"
R Is	"	Virg.	"
Contt.	"	Nth. Car.	"
Delaw	"		N Jers
	Pens		
5	6	4	5
Vote. For a Minister for Sp——			
Yea	divid	Nay	
Contt.	R Is	N.H.	
N Yk	Pens	Mas.	
N Jersey	2	Del.	
Maryl		3	
Virg			
Nth C			
Sth C			
7			

RC (MHi: Adams Papers). In Lovell's hand, though not signed.

¹ That is, the question of the fisheries as a sine qua non of a peace treaty with Great Britain.

² That is, a treaty of peace and a treaty of commerce.

³ Benjamin Franklin.

⁴ That is, Lovell himself.

⁵ Arthur Lee.

⁶ According to the journals, Elbridge Gerry seconded this motion on September 25; but for the probability that Lovell had seconded it during the previous day's debate see Henry Laurens' Notes of Proceedings, September 24, note 2.

⁷ In addition to the commentary on this voting provided by Lovell for Adams, here and below, and in his letter of this date to Richard Henry Lee, the following reports to José de Gálvez by Juan de Miralles, the Spanish agent in Philadelphia, contains additional significant information on these congressional proceedings. "Yesterday," Miralles wrote on September 26, "the Congress attempted to elect the Minister whom they will send to the Court of our Gracious Sovereign. The choice was between John Adams, who recently came from France to Boston, and the present President of Congress, John Jay. Because of the differences of opinions the voting was postponed until today, despite the fact that it is Sunday, which is observed here very scrupulously.

"In fact, Congress convened today at ten o'clock, and twice attempted to elect a Minister but failed again to do it, and the voting has been put off until tomorrow. On the first ballot there were five votes for John Adams and four for President Jay, the votes of the other three states were divided. On the second ballot there were five for Jay and four for Adams. Those who voted for the President are North Carolina, Virginia, Maryland, Jersey, and New York; those for Adams, Massachusetts Bay, New Hampshire, Rhode Island, and Delaware. The votes of South Carolina, Pennsylvania, and Connecticut were divided. The present Congress is composed of representatives of twelve states, because Georgia has no representative.

"Supporters of the President expect to attract the necessary number of votes to elect him for the reason that he deserves the honour. I have endeavoured to influence all the members, with whom I am on very good terms, to think the same, and that in electing him they will show respect for our King by sending the leader of the Congress to him, since as republicans they have neither dukes nor other grandees as do the kingdoms of the first rank. On his part, Monsieur Gérard is cooperating to the same end.

"Today," Miralles continued on the 27th, "Congress concluded the election of the Minister Plenipotentiary to be sent to the Court of Spain with the election of John Jay, who received the votes of eight states: Connecticut, New Hampshire, New York, Delaware, Jersey, Maryland, Virginia, and North Carolina. The presidency of the Congress is accordingly vacant, and tomorrow the members will proceed to elect a new President, perhaps the former President Henry Laurens, although it is thought he will decline the position.

"After the election of Mr. Jay, Congress proceeded to elect a Minister to represent the United States in the negotiations of peace treaties when the time for that comes. They selected John Adams, who has recently returned from France and is now in Boston." See Miralles to Galvez, September 26 and 27, 1779, Audiencia de Santo Domingo, Legajo 2598, Archivo General de Indias, Seville (Aileen Moore Topping translation, Manuscript Division, DLC).

⁸ Lovell was referring to Arthur Lee's requests for authority to negotiate with Spain on various subjects discussed in his letters to the Committee for Foreign Affairs of February 10, April 2, August 31, October 19, and December 5, 1778. See Wharton, *Diplomatic Correspondence* 2:491-92, 536-37, 699, 800-801, 850-51; and Lovell to Samuel Adams, September 21, 1779, note 1.

⁹ This was part of the report of the Foreign Affairs Inquiry Committee that had been appointed on January 20, 1779. *JCC*, 13:456.

¹⁰ Lovell was referring to the motion of Meriwether Smith that proved to be the initial step in removing Arthur Lee from his position as "commissioner" by superseding it with a new position of "minister." Laurens joined John Mathews in voting yes, thus making South Carolina one of the seven affirmative states. Laurens then nominated Arthur Lee for the new position. *JCC*, 15:1109-10.

¹¹ For a less partisan explanation of the compromise that sent Jay to Spain and John Adams to France as peace negotiator, see Elbridge Gerry to John Adams, September 29, 1779.

¹² Francis Lightfoot Lee.

¹³ That is Adams' old antagonist John Dickinson.

¹⁴ For these votes, see also Henry Laurens' Notes of Debates, September 25-27, 1779.

James Lovell to Richard Henry Lee

Confidential Monday 27th Sepr. 79.

The Vote for appointing a *minister plenipotentiary* in lieu of a *Commissioner* to negotiate a Treaty of Amity & Commerce with Spain having passed as I have shewn, and A Lee being nominated with J Adams & J Jay, I produced the two Letters of which I send you Copies,¹ for the purpose of showing the Appeal of the Count de Vergennes to his own manner of Behavior towards the Commissioners jointly & *seperately* as the Test of his *not having adopted* the Prejudices which were apparently attempted to be inspired into America. This appeal on Feb 13 after such a Testimony as Mr Adams's had

been presented shows either that the Count had not really been afraid of Mr Lee and those about him or that he had become sensible his Fears were ill-grounded. I performed this last Act of Friendship or rather Justice to a cruelly injured man and then left the Body to proceed on Business with only entreating for due Weight, to be given to the abundant Proof which is on the Files of the execrable Falsehood of Viliany of the Assertions and Innuendoes which had been made & published for the Purpose of blasting the Character of the virtuous & faithful Commissioners now in nomination as a Minister plenipotentiary. The Baloting was called for *first* for a Minister for Spain, with Intent to put J A there; but it being found that the *prudent* Class were too prudent indeed for that, the Plan was changed to J J for Spain and the crowning act of all Deanes base arts took place.

N. Hamp.

A. Lee

R. Is

Pens

Sth. Car

No Vote

Mass

Conn

N Yk

N Jer.

Del. Dickinson

Mary

Virg

N Car

J Jay

A Minister for Peace

J A only nomination

all the votes except one for Doctr. Franklin²

The Ballot of my 3 Colleagues stands as mine for, by the yeas & nays a little before I appear to be present in Congress.³ This is but one of the many Stains which we are liable to in this Sort of Business.

And now, my dear Sir, I shall strive to lay aside all my Anxieties about your Brother. He ought instantly to come over and do himself all that Justice before the World which his Patriotism will permit. I cannot at present see how he will accomplish it without exposing to Censure more than Wretch who raised the Flame that has so long been burning here.

Yr. Brother will be able to tell that he sent his Resignation in Time; But, that his Friends, conceiving no capital Injustice would be done him after the full Vindication against all Deane's Slanders had reached Congress, chose to Suppress that Resignation,⁴ by which, otherwise, Congress would have been kept from adding Iniquity to Transgression.

Your Letters of the 12th & 18th as well as Col. Frank's of the 10th reached me to day. I cannot particularly acknowledge the letter myself but beg you to give Love to him & communicate what you please of my Informations to him, only using the Precaution to seem

both of you to be ignorant till you acquire the Knowledge from Emanations of the glutted malice of a Set who almost say they were sent from yr. Quarter for this sole Purpose. They certainly act zealously in their mission if such it was.

I have proceeded on the powers but nothing decisive will be concluded till Tomorrow Evening.

I wish Arthur may get some Item of these Things before Gerard carries the whole Budget.

I have so much to write to Boston that I must now bid you adieu, with an Assurance of being very affectionately Yours. J L

[P. S.] 3 Secretaries are wanted. Time must show whether the Choice of these will fall on Devotees or Watchmen.

Carmichael, Houston, and Brockholst Livingston are hinted. I believe Dana wd. go with Adams. B. L. is J Jays Brother in Law and now his Secretary.

I shall write only a short closing Speculation as Rowland.⁵ Many Vouchers may be used *honorably* in a Law Court which cannot be in a News Paper. The best Way is for all the Friends of the injured, *at this Period*, to be silent, unless the opposite Party shall give fresh occasion. I will speedily attend to what you want but I suggest to you the Propriety of my getting Fooke⁶ to translate all the french Vouchers which may be wanted so that he may *swear to the Translation*.

That we may have compleat Understanding of each other's opinions let us observe great Silence as to the Lights we get, *in this Channel of our Correspondence*. We shall have Room enough to quote *others*, I dare say.

Let your honest, zealous past Endeavors be yr. Comfort tho Innocence & Worth have not been entirely defended by them. J L

RC (ViU: Lee Family Papers).

¹ Undoubtedly John Adams' February 11 letter to the comte de Vergennes and Vergennes' February 13, 1779, reply, for which see Lovell to Samuel Adams, September 21, 1779.

² For John Dickinson's votes for Franklin, see Lovell to John Adams, September 28; and Elbridge Gerry to John Adams, September 29, 1779.

³ Although Lovell's statement is somewhat ambiguous, he appears to mean simply that after he had "left the Body," i.e., withdrawn from Congress' meeting room, his three Massachusetts colleagues had cast their state's vote for John Jay as minister to Spain as part of the compromise that guaranteed John Adams' selection as peace negotiator.

⁴ For the resignation of Arthur Lee, see William Whipple to Richard Henry Lee, August 23; and Lovell to Richard Henry Lee, October 13, 1779.

⁵ For Richard Henry's use of the pseudonym "Rowland," see Lovell to Richard Henry Lee, August 17, 1779, note 3.

⁶ That is, Paul Fooks, who was employed by Congress as a translator. *JCC*, 14:801.

Henry Marchant to Horatio Gates

Dear Sir,

Philadelphia Sept. 27th. 1779

I was honored with yours without a Date—whereby I am so happy as in some good Measure to have my Apprehensions, of the Dangers your Post was in, removed. I hope however You will readily excuse a Sollicitude dictated by the sincerest Regard to your Interest and Honor, and the Prosperity and Happiness of my Country. I read from my Place in Congress that Paragraph in Your Letter respecting the gallant Talbot, but the reading of His Letter to you was unnecessary as a similar one from Him to Congress had been read. Col. Talbot stands high in the Estimation of Congress. The Difficulty was how to promote him in the Way his Talents seem to call for. A Resolution was moved for & carried for granting him a Commission in the Contl. Navy, with Instructions to the Marine Comee. to furnish him a Vesell as soon as in their Power. In an Hour or two after that Resolution was passed— Providence seemed to provide for Him, Information was recd. that a very fine Copper Bottomed Brigg was carried into Boston by two of the Contl. Frigates. The Marine Comee. have ordered that Vessell to be purchased for Col. Talbot—which I hope he will accept of, if she is as described—For at present Congress have it not in Their Power to give him a better Vessell. I would not wish to see him in private Service. Money indeed he may get there, but Honor & Promotion is only to be had where he is, and if he now should quit it, he perhaps quits it forever.¹

Your Intelligence of Count De Staing's Approach was very agreeable. We have had Dispatches from him to the French Minister dated off Savan[na]h and informing that an Attack was to be made in Conjunction with Genl. Lincoln upon the British in Georgia the 9th Instant. The Count is soon to be expected to the Northward. Genl. Washington is fully impowered to consult with the Count & the Minister of France (under whose sole Controul the French Fleet is while in America) upon such Expeditions as shall most conduce to the Interest of the United States and the Alliance. I should Apprehend as the Season is so far spent, that an Attack upon Rhode Island will be more eligible than New York. Success agt. the one will be very probable, agt. the other at least doubtful. Besides I think it a Matter of Great Importance that a good Harbour should be gained as soon as possible for the French Fleet, for their largest Ships. The Harbour of New York will not do this. I presume the Count's own Inclination and Judgment will have great Weight. And I should think, for the above & other Reasons He will be for proceeding directly to Rhode Island. If Genl. Washington should be clearly of this Opinion, I presume he will put Troops forward immediately for your Post. Congress have sent forth Resolutions to the States Calling upon Them, to give every Assistance in their Power upon this inviting Prospect of Striking a Decisive Blow upon the Common Enemy.

It is said a second Division of Arburthnots Fleet is arrived at New York, with some Hessions & Wild Irish Troops. About sixty Sail were seen going into New York—Some Ships of War, & large Trasports.

A large Embarkation it is also said has been taking Place at New-York with Waggons &c &c—Some presume for Virginia, to regain the Convention Troops—an Object perhaps not out of their Reach, if Count DeStaing was out of the Way.

Monsr. Gerard is not yet gone, but has taken Leave of Congress in a private Audience.

The New Minister has not yet been recd. Nor is the Day appointed. A few Days must give Us important Advice from Europe And a few weeks in the Close of this Campaign may be big with Events. That They may be Honorable & Happy to Us & Our Country, is the sincere Wish of Yr. Friend & Servt. Hy. Marchant

P. S. You must receive Scratches from me—I have not Time to copy.

RC (NH: Gates Papers).

¹ For the achievements and promotion of Silas Talbot, see John Jay to Gates, July 30; and Marchant to Talbot, August 9, 1779, note 2.

Committee of Congress to John Chaloner and James White

Gent.

Philadelphia Sept. 28th 1779

You will do the best you possibly Can to Comply with the within requisitions of Mr Holker¹ for the use of Count De Estaings Fleet.

Per order of the Commttee of Congress on the Comsy. & Qr Mst Dpts. J. Root Chairman

RC (PHi: Chaloner & White Papers). Written and signed by Root.

¹ Root wrote this brief letter on the verso of a list of "Wants for the fleet" written and signed by Jean Holker, dated September 27, 1779.

John Fell's Diary

Tuesday 28th [September 1779].

C. Committee. The Congress. Elected a New President by Ballot, vizt. Mr Huntington.¹ A Secretary for the Embesey were Put in nomination vizt Mr. Carmichael & Mr Searle.

P M Marine Committee.

Dined with Jos Wharton.

MS (DLC).

¹ In a letter of this date to José de Gálvez, Spanish agent Juan de Miralles reported an aspect of the election not recorded by Fell or in the journals: "Henry Laurens, a former President, received six votes on the first ballot, but withdrew his name. Mr. Huntington was elected on the second ballot." Audiencia de Santo Domingo, Legajo 2598, Archivo General de Indias, Seville (Aileen Moore Topping translation, Manuscript Division, DLC). In a letter of the previous day, Miralles had speculated that Laurens would indeed withdraw if nominated. See James Lovell to John Adams, September 27, note 6. The source of Miralles' information is not mentioned in his correspondence.

Samuel Holten's Diary

[September 28, 1779]

28. Tuesday. I wrote to Capt. Shillaber, The President of the Council, & Spkr. of the house, to Dr. Cooper & Mrs. Holten (no. 77).¹ Mr. Huntington chose P. of Congress.

MS (MDaAr).

¹ Only Holten's letter to the Massachusetts Council, the following entry, has been found.

Samuel Holten to the Massachusetts Council

Sir, Philadelphia Sepr. 28th, 1779

The author of the inclosed pamphlet, left *two* of them, with the Delegates of Massa. Bay, with a desire that they might be forwarded to their Court; Therefore, I do myself the Honor to inclose one for the Honble. Board, and the other, I have inclosed to the Speaker of the House.

The new Ministr. plenipotentiary, with his suit, arrived here on Tuesday last; I have had the honor of paying him my respects & congratulating him on his safe arrival; and he particularly noticed the kind treatment he had received in Masstts. I consider it as a favorable circumstance, that his first arrival was in our state.

Mr. Gerard, has taken formal leave; & I expect the Chevalier De La Luzerne the new Ministr. will soon be admitted to a public audience with Congress.

Last Saturday evening an express came in here, with the agreeable intelligence, that the Count De Estaing arrived off Georgia the 5th instant.

I have the Honor to be with the greatest respect, sir, your most obedient servt.

S. Holten

P. S. The disputes between the state of New-York & the people stiling themselves the state of Vermont, have arisen to such a height that Congress have been obliged to interpose (to prevent a civil

War) and have come into a number of Resolutions, which I suppose will reach you (by express) before this.¹ Therefore, I can't but think, that if we have any Just claims to that Country, or any part of it, that it would be adviseable to refer the matter as proposed by Congress, and endeavour to support our claims; I consider it, as unnecessary to hold up the many distresses to which we should be exposed, if a civil War shou'd take place, while the common enemy is within the Country. Yours as before,
S.H.

Sepr. 29th. 1779

The Post not setting out yesterday as I expected, gives me an opportunity of adding.

Congress have made choice of the Honble. John Adams Esqr. Minisr. Plenipotentiary, to negotiate a Peace (he had the votes of eleven states, there being twelve present) and the Hone. president Jay is appointed Minisr. Plenipotentiary to the Court of Spain; And the Honble Mr. Huntington (of Connecticut) is chosen president of Congress. Yours, ut supra,
S. Holten

RC (M-Ar: Revolutionary War Letters). Addressed: "The Honorable The President of the Council of Massa. Bay."

¹ For these recent resolutions concerning the New Hampshire Grants dispute, see John Jay to Thomas Chittenden, and to George Clinton, September 25, 1779.

Samuel Huntington to Henry Lee

Sir,

Philada 28th Sepr 1779

I enclose you an Act of Congress passed the 24th Instant and enjoy a sincere pleasure in communicating to you the thanks of Congress for the remarkable prudence, address & bravery displayed by you in the late successful attack on the enemy's fort & works at Pawlus Hook. And it is with singular satisfaction I assure you that while Congress entertain a just Sense of your military abilities they at the same time highly approve the humanity shewn in Circumstances prompting to severity as honourable to the arms of the United States and correspondent to the noble principle on which they were assumed.

In testimony of your merit and to perpetuate the remembrance of so gallant an action the Congress have ordered a medal of Gold emblematical of the affair to be struck & presented to you. They have also directed a sum of money to be put into your Hands to be distributed among the noncommissioned Officers and soldiers who shared with you the danger and glory of the enterprize.¹

I am, Sir, &c,

S. Huntington Prest

LB (DNA: PCC, item 14).

¹ For Congress' response to General Washington's official report on Lee's August

19 raid on Paulus Hook, see Huntington to Washington, this date, note 2. Besides ordering a gold medal for Lee, Congress also singled out two of his subordinates for their leadership during the attack by conferring brevet captaincies on Lts. Archibald McAllister (McCallister) and Michael Rudolph. This information was transmitted to the two officers in brief letters from President Huntington of this date. PCC, item 14, fols. 192–93.

Samuel Huntington to George Washington

Sir 28h Sepr. 1779.

I enclose you an Act of Congress passed the 24th Inst. and am happy, in the first exercise of that important trust with which Congress have been pleased to honor me,¹ to have the opportunity of Conveying to you the thanks of Congress for ordering with so much wisdom, the late attack on the enemy's works at Paulus Hook. The important business, in which Congress have been engaged, has prevented an earlier attention to that brilliant action.²

I can assure you, Sir, Congress have a proper sense of the merit of the Officers and soldiers employed in that enterprize, as well as of the army in general which, by their cheerful performance of every duty under every difficulty, have proved that they ardently wish to give the truly glorious example they now receive.

The act of this day which I enclose relative to the Officers of the Convention Troops was occasioned by the situation of public Affairs which is too critical to permit the enemy to avail themselves of the knowledge they must receive from the Communications of Officers of such rank and observation.³

I am, with due respect, Sir, Your Excellency's Obed. and very humble Serv.
Saml Huntington, President

RC (DLC: Washington Papers). In the hand of George Bond and dated and signed by Huntington.

¹ This day Congress had "been pleased to honor" Huntington by electing him president to replace John Jay after the latter had been appointed minister to Spain. See *JCC*, 15:1114. For an overview of Huntington's service as the sixth president of Congress, see Larry R. Gerlach, *Connecticut Congressman: Samuel Huntington, 1731–1796*. (Hartford, Conn.: American Revolution Bicentennial Commission of Connecticut, 1976), pp. 52–74, 119–24.

² Washington had informed Congress of the results of Maj. Henry Lee's August 19 raid on Paulus Hook, N. J., in a letter of August 23, which was referred to a committee on August 27. Congress took the committee's report under consideration on September 23, resuming debate on it the following day, at which time it adopted several resolves thanking and rewarding a number of the principal officers involved in the enterprise. See *JCC*, 14:1003, 15:1094–95, 1099–1102. Huntington also transmitted a similar resolution of thanks this day to Maj. Gen. William Alexander, who had provided general support for Lee's attack. PCC, item 14, fol. 191. See also the preceding entry.

³ For this resolve ordering the detention of Gen. William Phillips and Baron Riedesel, who were en route to New York on parole, see *JCC*, 15:1114. For additional information on this decision, which originated in a Board of Treasury recom-

mentation that these officers not be permitted to return to New York "until the accounts against the Convention Troops are adjusted and paid," see PCC, item 136, 3:673; and Washington, *Writings* (Fitzpatrick), 16:390; 394, 454–57, 495–96.

Henry Laurens to William Ellery

Dear sir. State House Philadelphia, 28th September 1779.

I know I am indebted to you for a very friendly mark of your Love in a Letter received some two or three Posts ago, which I had intended to have put into my Pocket & to have replied to from this place but unluckily tis left on my Table, 'tis now past 11 oClock & business of high moment coming on the tapis in a few minutes—the nomination, perhaps election of Secretaries to the Ministers at Versailles & Madrid & possibly one to the Minister for treating with the Court of Great Britain. Inclosed you will receive a general state of three days work but N. B. 'tis to a Member of Congress.¹ A particular recapitulation of circumstances while those articles were in agitation would be just now tedious & perhaps improper. You will hear the detail in due time. I make no comment, do not say that any one measure is faulty or premature, the Will of God be done, he suffers not a sparrow to fall without his notice.

You will have heard of the arrival of Count d'Estaing near Georgia & South Carolina, if the weather favored him we shall in a few days learn the effect of his operations in that quarter, by himself, 'tis highly probable he is now in our vicinage. I pray God to bless you with every degree of happiness & entreat you to believe the assurance of being with great Respect & Esteem, My Dear sir, Your affectionate & Obedt. servant,

Henry Laurens.

[P. S.] A circumstance has happened which obliges me to pause before I determine to transmit the intended communication.

RC (MiU–C: Miscellaneous Manuscripts).

¹ For the documents Laurens planned to send to Ellery, see his postscripts to this letter and to his letters of this date to Richard Henry Lee and to William Whipple which follow, especially the following entry, note 6.

Henry Laurens to Richard Henry Lee

Dear Sir, Philadelphia 28th September 1779.

I have not had the pleasure of writing to you since the 14th Inst.¹ Yesterday I was honored with your favors of the 12th & 19th.²

You have quite mistaken the motive for "Committing for consideration," the Motion was made by a very sincere friend of yours, he had entertained hopes of bringing before the House a proper Report,

a tolerable one was prepared, received & read, & Monday 21st or 14th, I forget which, "*set apart*" for considering it in the House, but altho repeatedly called for, its unpleasantness, as I apprehend, proved a Bar against taking it up.³

Your friend did not think it quite perfect he had therefore prepared certain amendments which he would have brought on the Book & will still endeavor to make the whole appear to public view—you shall be particularly informed in due time.

You will have heard before this day of Count d'Estaing's arrival near Charles Town South Carolina, that operations against the Enemy at Beaufort & Savanna were in hand; I expect every hour to learn of some important event in that quarter, probably the first intelligence will be brought by the Count himself who may be daily expected at Sandy hook or Rhode Island. Our Commander in Chief is properly authorized to co-operate vigorously with him. The Season of the Year was much against the Forces of our Ally to the Southward, a few days easterly wind with autumnal Rains would blast our prospect but I hope the weather has favored them.

Inclosed herein you will find a general account of three days work, it will be an exceedingly painful task to recite by & by the particulars, I shall make no comment, I have acted one uniform & consistent part, dictated by Conscience for the good of my Country as well as for doing justice to a meritorious Individual—my wishes are not accomplished, I am nevertheless persuaded the day will come when that injured Individual will receive both Justice & honor from his Country.⁴

By the next Post I shall determine whether to leave Philadelphia this winter, & you shall if I determine to go, be informed precisely the day. At present time will not favor me to pay that respect to your favors now before me which is due. I must hasten to the square Room where I often meet many crooked things.

I pray God to bless you & entreat you to be assured that I continue with sincere Respect & Esteem, Dear sir, Your obliged & obedt. servt.

Henry Laurens.

P. S. We have advices to be relied on that the 2d Division of Arburthnot's squadron 7 Ships of War having under Convoy Transports containing about 4000 Troops arrived this day se'nnight at New York.⁵ The Troops are said to be "wild Irish" & Hessians. The term wild Irish is repeated in several Letters.

12 oClock a circumstance has just happened which renders a transmission of the Paper intended to have been inclosed with certain Comments on it inconsistent with my honor—therefore I have withdrawn it.⁶

² Lee's letters of September 12 and 19 are in the William Gilmore Simms Collection of Laurens Papers, no. 31, MHi microfilm; and Lee, *Letters* (Ballagh), 2:149–52.

³ Laurens is here commenting upon a passage from Lee's September 12 letter concerning Silas Deane's memorial to Congress for reimbursement for his expenses since June 1778. For Laurens' discussion of this subject, to which Richard Henry was responding, see Laurens to Lee, August 31, 1779.

⁴ See note 6 below appended to Laurens' second postscript to this letter.

⁵ For the "advices" containing this intelligence, see Samuel Huntington to Thomas Jefferson, September 30, 1779, note.

⁶ Although Laurens made at least four references to this incident in his surviving correspondence, the event and document to which he is here referring remain a mystery. His cryptic references in his letters of this date to Ellery and to Whipple contain little additional information on the subject, and although he later decided to send the document referred to with his next letter to Richard Henry, that intriguing enclosure has not been found. See the preceding and following entries; and Laurens to Richard Henry Lee, October 12, 1779.

Henry Laurens to William Whipple

Dear sir

Philadelphia 28th Sept 1779.

The present delightful weather presents to my view, my good friend General Whipple in his usual chearfulness & serenity, ambling forward toward Boston & Portsmouth, this will overtake him at the former.

Our hopes of hearing in a very few days of the arrival of Count d'Estaing on the Coast of New York or at Rhode Island has induced Congress to countermand the orders given for dispatching the Frigates at Boston to South Carolina,¹ hence your Commission on the purchase of a Pipe of Wine will be stayed. I must defer that scheme to a future day.

You will read in Dunlap's Paper what is said of the Count in Charles Town, to this I can add, that General Lincoln left that Town on the 7th Inst. & took with him Colo. Laurens to whom he has given the command of the Light Infantry. Every necessary measure was in motion for co-operating with the forces of our Ally, Colo. Laurens intimates that it will be our fault if we fall short of a great stroke upon the Enemy at Savanna & Beaufort. The Commanding Officer having learned of the proximity of the French fleet had detached a Captain, a Lieutt. & 8 Men in an advice Boat with orders to Colo. Maitland to withdraw his Troops about 900 British from Beaufort & retreat to Savanna. That Boat with the Officers & Men were taken by Captain Detreville of our Artillery, that Captain had been stationed at Pinckney's Island for the purpose of such interceptions, this which I have mentioned was an extremely fortunate one; Colonel Maitland will have been more fortunate if he escaped from complete capture, but we must wait with patience for events, you know I am not of the sanguine tribe. The season of the Year was much against the Fleet, three days strong Easterly wind & heavy

rains would dash all our hopes. 500 of the Virginia Troops had passed through So Carolina & were in a fair way towards Savanna. Upon the whole there is infinitely more reason to hope than to despond.

Inclosed with this you will find a general history of three days, some of our friends at the Corner House may give you the particulars, which indeed would be a tiresome recapitulation.²

Mr. Gerard I suppose will leave us to morrow but if the Minister for treating with Spain means to accompany him which I think very probable, he will dole away three or four days at Chester. Our friend Arthur Lee will rise again. God bless you my Dear General I wish you every happiness & assure you with great sincerity of the Love & Esteem of Your obedient & most humble servant,

Henry Laurens

[P. S.] The several interlineations renders it unnecessary to tell you I have written in haste, but I was determined, to write, as they say in this Country, “anyhow” rather than not write.

You will not shew the inclosed Paper to any but the faithful.

12 oClock. A circumstance has happened which obliges me in honor to pause before I make the intended transmission—a Gentleman just now brought me his hand in such terms as have softned me to him as a Man to a Man—altho no terms nor terrors could soften or warp me toward any Man connected with measures which appeared to me improper.

RC (MdHi: Gilmor Collection).

¹ See Marine Committee to the Eastern Navy Board, September 22, 1779.

² For Laurens' enclosure, see his postscripts to this letter and to his letters of this date to William Ellery and to Richard Henry Lee, especially the preceding entry, note 6.

James Lovell to John Adams

Dear Sir Confidential Tuesday 28th of Sepr.[1779]

Yesterday in whispers the proposal was made to send J A to Spain, the Baloting for *that* Business being *first* called for. But Connectt. and Pennsylvania discovered a total abhorrence of the *Consequences* in the *second* Balot; therefore the Plan was dropped;¹ and the Balots were

N Hamp A Lee

R Is.

My Colleagues

Pensyl

Connectt.

Sth. Car.

N. Yk

no vote

N Jersey

Dickenson

Maryld.

Virga.

N. Car.

J Jay

For the 2 other Comisons. J A the only Nomination, all the States but one for Doctr. Franklin, if this was not the *Pidler*² it might be the *Oddity* of Virginia.³

Prior to the Choice for Spain I produced your two first Letters as appertaining to the only one point which had ever appeared incontestible against A L, Je crains Mr. Lee *et ses Entours*. For the Minister disavowing on Feb. 13th his having adopted Prejudices such as were attempted to be inspired in America; And proving his Disavowal by an Appeal to his Conduct to you "*ensemble et séparément*" shows either that he meant only *avec ses Entours*, or that he felt convinced he had been drawn into unjust doubts, and intended to show double Confidence in future.⁴

The whole Members even Jay praise "my Perseverance" but he says "in Friendship to Arthurs." Time will show whether it has not been to prevent Congress from an Act of Injustice, and to maintain the Sacredness of the *Approbation or Disapprobation* of our united Supremacy; which is what the Servant of Republicks should look up to rather than to *Salaries & Perquisites* which the Levity of Monarchies makes their Servants *catch while they can*, without striving to deserve them. I am freed from a Load. For I have long practiced upon David's Rule, away with Sackcloth & Ashes when evitables become inevitable. J J desires me to be as true to him "only *while* he continues to do honestly." That I most assuredly will, and to every Name that the public Choice shall fall on. But I cannot forget the past so far as not to think that, if S. Deane is not stone blind he may *now* see from what Source he got his Fund of Advice towards Measures apparently his own. Carmichael, Houston & Mr. Jays Brother Livingston *are talked of* as Secretaries to the Embassies.

And now, my very dear Sir, as to the main Point. America *ought not* to pardon you if you put its Peace to the Hazard of a second Ballot; As an Individual I swear I *never will* And, as to *PORTIA*, if I can by my utmost Industry find out that only one Tear or even a Sigh comes from her, I will burn all her past Letters, much as I now regard them; and *if* I should ever again speak or write to her, she may expect I shall call her Daphne or Cloe or even *Lais*. I will allow her a little Regret if she will not let it amount to a Sigh, while she considers with me that you cannot be here to manage the *Vermont Cause*. You must give all possible Information to Massachusetts Government through [an] able Man or Comtee. before you go from *thence* or *hence*.

I have tired all my Pens yesterday & Today in conversing with those I love southward and eastward.

Heaven protect you,

J.L.

[P. S.] Gerry tells me Dana may be induced to go with you.⁵

Confidential

Tuesday 28th of Sepr. 1779, in Continuance.

Mr. Jay having resigned the Chair on account of other public

Engagements, The Honble. Mr. Huntingdon was Elected President of Congress. Tomorrow will be chosen Secretaries for

France	Spain	& the Negociator
nominated		
Peter Scull	Mr. Carmichael	Jno. Trumbull
by Mr. Atlee	by Mr. Hewes	by Mr. Laurens
Col. John Lawrence	Mr. Searle by	Jona. Trumbull
by Mr. Gerry	Mr. Armstrong	by Mr. Holten
		Hble. Francis Dana
		by Mr. Peabody

By Authority from A. L. some time dormant, a Suit will be commenced instantly against D——e for Defamation.⁶

Your Favor from Passi Novr. 27. 1778 reached me this day said to be by Capt. Jno. Brown. Your Situation as therein described was more strongly painted in your Letter of the 10th of this month recd. also Today.⁷ I mean in that part of it wch. was intended to make me “reconsider my Opinion concerning yr Friends & Enemies in Congress.” Shall I do as you wish me according to *our* Rules & Orders? I consent. We vote to reconsider, we make no amendment but we are not obliged to put a Question again upon the Proposition, *it stands in as much force as ever.*

But tho I do not go into the Conclusions you supposed I ought to make, I shall pursue what I had undertaken and in part accomplished before the tardy Post came in. You shall know not only that you are to have a Skipper, but a Purser also.⁸ The first shall know his ubi & quando the second his quantum and his unde derivatur. A Committee is appointed for the Purpose, Laurens, Gerry & somebody else.⁹

There seems to be an Infinity of Good Humour in Consequence of the late Elections. I suppose if C——I¹⁰ succeeds on the morrow we shall go on swimming in the smooth Pool of Complacency. The Chance is for him against his present single Competitor.¹¹ I am not distressed about the Event tho I think I have seen full Proof of an Instance or two of radical Disingenuity in him.

Suffer me now, dear Sir to assume the Freedom of *giving you some Advice*. Yr. Honor is among my very interesting Concerns. Having in preremptory Langu[age] declared my Opinion of your duty to accept, I will most ingeniously tell you every objection against it in my mind, and then advise you how to lessen the force of those objections. You will have decided ultimata and negotiable propositions to carry with you. The whole world knows that the latter are almost totally dependent upon *antecedent Secresy*. But such has been the Servility of some here that I have little doubt of the Knowledge of our Transactions having been regularly conveyed to our Ally *already*. This is not a *fatal* Circumstance, as both He & the Mediatorial Powers must, of Custom & Necessity, be made more or less acquainted with them by you. But there have been at Times such Declarations of the Rights of the

Delegates of a sovereign *independent* State to convey to their State matters respecting its Salvation, tho ordered, here, to be on secret Journals that I have little Simple of the whole of our Proceedings being known to (*Virginia, New York, Sth Carolina as well as to Drayton, Jay & Smith*) several States as well as to *all* their Delegates. In your Answer, therefore of ACCEPTANCE, I advise you to hint delicately the Disadvantages which you are entitled to apprehend from the Nature of the Constitution of the Supremacy which prepares yr. Instruct[ion]s, the Risque you foresee of *your own* Discretion being impeached in Consequence of the Want of it in *some one* or *many others*, and, at best, of yr. Abilities as a Negotiator being evidenced in fine only by the bare Execution of the strictly defined parts of the Business proposed to you. You may conclude your ACCEPTANCE with saying as many fine Things about yr. Integrity as the vainest Rascal on Earth could do, and, I promise you, a Syllable of what you utter on that Topic will not be *disbelieved* by THE DELEGATES in CONGRESS of the UNITED STATES of AMERICA.

Should the State of Mass. incline to keep me here, at a most enormous Expence to them, tho to the Starvation of my Family, I will be as true to you as to John Jay. And I assure you I herein make a bigger Promise than your Observations upon the general Run of the Children of Adam will at first lead you to imagine.

I will aim to know possitively the author of the Letter respecting Monsieur l'Ami d'un Fol. I will deliver to Dr Rush & Genl. Roberdeau yr. Lettrs. to them.

And, now, then, (as G Morris elegantly begins his Paragraphs) my esteemed Friend, having tried your Eyes *almost* as much as you do every Body's, I have mended my Pen and enlarged my Alphabetic Conveyancers, for the sole Purpose of advising you to do *often* the same, especially when writing to *public* Bodies. JL.

RC (MHi: Adams Papers).

¹ For "the plan" to replace Arthur Lee as commissioner to Spain with John Adams and to appoint John Jay as peace negotiator, see Lovell's September 27 letters to John Adams and to Richard Henry Lee; and Elbridge Gerry to John Adams, September 29, 1779.

² That is, John Dickinson.

³ Meriwether Smith.

⁴ See Lovell to Richard Henry Lee, September 27, 1779, note 1.

⁵ That is, as Adams' secretary—a post Francis Dana was elected to the next day. JCC, 15:1128.

⁶ For Arthur Lee's suggestion that libel proceedings be commenced against Silas Deane, see Lovell to Arthur Lee, September 17, 1779, note 8.

⁷ Adams' November 27, 1778, and September 10, 1779, letters to Lovell are in Adams' Letterbook, Adams Papers, MHi. In the former, Adams described the dilemma he had faced upon learning that there was to be a sole commissioner in France, who he correctly assumed would be Benjamin Franklin. In the latter, he defended his conduct in France, denied that disagreements among the commissioners had hampered United States interests abroad, and generally attempted to remain aloof from the Deane-Lee imbroglio.

⁸ Lovell was undoubtedly referring to the dependence of the newly appointed ministers abroad on Benjamin Franklin for public funds, on which Congress explicitly instructed Franklin in a resolve of October 14, 1779. See *JCC*, 15:1179–80. Adams' eventual frustration over this restriction led him to seek Lovell's aid in altering this arrangement, but Congress did not finally comply with his demand until May 31, 1780. See James H. Hutson, *John Adams and the Diplomacy of the American Revolution* (Lexington: The University Press of Kentucky, 1980), pp. 53–54.

⁹ This day Congress had appointed Elbridge Gerry, John Mathews, and Jesse Root a committee to "report proper salaries for the ministers plenipotentiary and their secretaries." *JCC*, 15:1118.

¹⁰ William Carmichael.

¹¹ James Searle, who was placed in nomination for the position of secretary to the minister to Spain, although his name was later withdrawn. See *JCC*, 15:1115; and Lovell to John Adams, October 1, 1779.

Marine Committee to Thomas Bradford

Sir Marine Committee 28th Sepr. 1779

It being represented to this Board by Doctor Rush that Lieutenant Hele¹ of the British Navy is now very ill with a Fever in the New Jail and that his recovery is doubtfull unless speedily indulged with a private Lodging, you are therefore directed to permit him to go to such Private Lodgings as his Physician Doctor Rush may think proper for him, taking his Parole in the usual form.

Joseph Hewes	Samll. Huntington
Fras Lewis	John Collins
James Searle	Jno. Mathews

RC (RPJCB: American Manuscripts). Written by Joseph Hewes, and signed by Hewes, Collins, Huntington, Lewis, Mathews, and Searle. Addressed: "Mr. Tho. Bradford D[eputy] C[ommissary] Prisoners."

¹ Christopher Hele was being held in "close confinement" because of the British mistreatment of Capt. Gustavus Conyngham as a prisoner of war. See Marine Committee to John Beatty, August 31, 1779.

Marine Committee to the Eastern Navy Board

Gentl Marine Committee, Philada September 28th 1779

In our last of the 22d instant we ordered three of the frigates to proceed as soon as possible to South Carolina. We have since received information that Count d'estaing with 20 ships of the line, Six frigates and a number of Transports having on board 5000 land forces are arrived at Georgia and that the Count with his whole force may be shortly expected on your Coast. We therefore request that you have the frigates and other Continental Armed Vessels immediately got ready for sea with three Months provisions on board and that they hold themselves in readiness to sail at a moments Warning to

join the french fleet or to such other place as may be directed by General Washington or the Count DEstaing. You are also to provide and engage a Sufficient Number of Skilful Pilots for the said fleet for Newfound Land, Hallifax, Penobscot, & Rhode Island, who are to go on board your ships. You are to Observe that General Washington and the Count are to Co-Operate with each Other,¹ and therefore Congress have thought proper that the Captains of the Continental ships & armed Vessels should be Subject to their orders.

We are Gentn, Yr. hble servts.

(Signed) Jno Mathews Chairman

Copy

Tr (DLC: Washington Papers) LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

¹ Mathews also sent Washington a copy of this letter to the board under cover of a brief letter of transmittal of this date. Washington Papers, DLC; and Paullin, *Marine Committee Letters*, 2:119.

On October 6, Washington wrote the Marine Committee that he was "happy in the correspondence of your ideas with mine upon the subject of it [i.e., the proposal to redeploy three frigates to South Carolina]. I wrote Congress on the 4th Instant, and suggested to them the eligibility of the plan which you had already adopted." Washington, *Writings* (Fitzpatrick), 16:420–21.

Rhode Island Delegates to William Greene

Sir,

Philadelphia, Sepr. 28th. 1779.

We recd. Your Excellency's Favour of the 3d. Instant, enclosing a certificate of the Valuation of the black Regiment.¹ As Congress have agreed to stop the Press, and all Supplies must now come from the States, Your Excellency will perceive that there can be no great Prospect of procuring the Ballance of Our Account—However at any Rate the Charge of the black Regiment may as well stand as it now does Blank, for some time, as we might be very happy to prove the Ballance exclusive of that Charge. There will very probably be some Charges that will not finally be allowed. We will do all in our Power to procure an Order on the Treasury at Rhode Island for a Sum amounting as near as may be to our Ballance; But we are so doubtful of Our Success herein, that we would wish the State not to build much upon it. Great will be the Calls for Money—And great must be the Exertions of the States. The Time is come when we are called upon to fulfill the Engagements which every One most chearfully made at the Begining of this Contest. We must part with some Share of our Interest, to save the Rest. And if we are obliged to sell some Part of our Estates, to secure the noblest Cause on Earth who is the Man that will shrink from the Tryal. Our Grand Exertion in freely giving and lending, will under the kindness of Heaven, put our Affairs in a State of Security beyond the Reach of Our Enemies to injure.

The French Minister has Letters from Count De Staing off Savannah in Georgia. The Plan of Operations has been consulted with Genl. Lincoln and the Executive Powers of South Carolina; and the 9th of this month, was fixed for making the Attack upon the British in Georgia. Should the Count succeed there; He bends his Course to the Northward to join Us, in such further Measures during the rest of the Campaign, as may most conduce to the general Interest. Whether New-York or Rhode Island will be the first Object We can't say. We wish we may be able to accomplish both, and by the most decisive Measures strike a deadly Blow to Our Enemies, and rid the World of their Tyranny and Oppression.

We enclose Your Excellency a Weekly Journal in Course of those before sent, down to the 14th of August—as also the last Weeks Papers, and are with great Respect, Your Excellencys most obedient and very humble Servts.

Hy Marchant

John Collins

RC (R—Ar: Letters to Governors). Written by Marchant, and signed by Marchant and Collins.

¹ Governor Greene's September 3 letter, enclosing an appraisal of the value of the slaves in Rhode Island's regiment of black soldiers, is in William R. Staples, *Rhode Island in the Continental Congress, 1765–1790* (Providence: Providence Press Co., 1870), pp. 249–50.

John Collins to Nathanael Greene

Dear Sir Philadelpha Octobr. [i.e. September] the 29th. 1779¹

I Shall say little more then acknowledge the Receipt of your letter of the 17th as I Expect to leave this City soon, and Call on you at West point in [my] way home, or wait in Camp untill we hear farther from the french fleet. Your determination to persevere to the end of the Campain is a good one, and what may heave up between this and then is uncertain, but this is Certain, your resigning before the end of the Campain will leave you open to sensure, sofar at least, that it was the Emolument of your office you was seeking and not the good of your Country, which I would Carefully avoid.

The deprecation of our money has drepeccated the morals of the inhabittance of these States eaquel to the money, which is a misfortune, not to be Repaired in this age, but I hope their will be honest men anough left to Save our Countrey from ruin.

Your Caution with Regard to my Colleague² I recive kindly. But I knew boath the men before I Came to Congress, the one I have dispised Ever since the Newport association for the Support of Government, the other [I . . .]³ Confided in as a friend. I sometimes view the spot where a friend⁴ of ouers lays with a tear Silantly roleing down my Cheak Reflecting on the lose his famaly, his freinds,

& his Countrey Sustained when he departed—but let us retire from the toombs of the dead, and look amongst the liveing, for men to Save ouer Countrey, from its internal Enemies, for the danger from without is but Small.

I am not ignorant it is a delicate point to give advice Eaven to a friend, and nothing but the Greatest sincerity Can make it tolerable, but you may Depend I Shall do it freely to you as loud [long] as mut[u]al Confidence Subsists, if I Remember Right I informd you the freedom I took with a Gentleman whilst the army was on Rhode Island who some time befor had Requested I would treat him as a friend on all ocasions, and when on Rhode Island he had Determand. on a motion that I apprehended woud injure himself & Countrey; I Complyd with his request, I mad great freedom which Stoped the motion, but had near lost me my friend, but if I served my Countrey I gaind my point, I Shall with you use the like freedom on any ocasion when I think the Sirvice of my Countrey Requires it.

I am with Sincerty your friend,

John Collins

RC (MiU—C: Greene Papers).

¹ Although Collins clearly dated this letter “Octobr. the 29th,” he must have written it in September. He cast his last recorded vote in Congress early on October 4 and Henry Marchant later reported that Collins had left Philadelphia on October 5. See *JCC*, 15:1142; and Marchant to William Greene, October 12, 1779.

² Apparently Henry Marchant, since William Ellery did not return to Congress until November 30.

Greene and Collins had earlier exchanged warnings about Rhode Island’s delegates in Congress. In his September 7 letter to Greene, Collins had remarked that William Ellery and Samuel Adams “will use all their influence to damn me with the People,” and in response Greene had warned that Marchant as well as Ellery might be opposed to him. “You say that one of your Colleagus is not your Freind,” Greene wrote on September 17. “Are you sure that either is? Trust not to appearances. Actions are the true criterion to determin Freinds from Enemies.” Greene Papers, MiU—C.

³ MS damaged; approximately three words missing.

⁴ Perhaps Samuel Ward, who died of smallpox in Philadelphia in March 1776.

John Fell’s Diary

Wednesday 29th. [September 1779]

C. C.¹ Congress. After the dispatches, Reports from the Board of War and Treasury were finishd then Balloted for a Secretary for Mr Jay, when the Votes for Mr Carmichael were unanimous, Candidates for Mr. Adams Secretary were Mr John Trumbull, Mr Jonathan Trumbull and Mr Dana, first Ballot John Trumbull had 4 Votes Mr Dana 6. Second Ballot Mr Dana 7—he was Elected.

For Secretary to Dr. Franklin the Candidates Mr Skull and Mr Laurens, Mr Laurens had Eleven Votes and was Elected. A Commissioner to Examine the Accts. in France was appointed,² the Candidates were

Edmd Jennings, Mr Laboushire, ³ & Mr. Joshua Johnson			
first Ballot	1	3	6
second do		4	7

Mr. Johnson was Ellected.
A Report was brought in from the Committee, to allow the Minister Plenopotentiary £3000 Sterlg. Per annum and the Secretary £1000 Sterlg Per Do. Postponed.

MS (DLC).
¹ That is, the Committee of Commerce.
² For the resolutions authorizing the appointment of this commissioner, see Henry Laurens to Richard Henry Lee, August 10, 1779, note 4.
³ Possibly one of the Labouchere family connected with the banking house of Hope & Company in Amsterdam.

William Fitzhugh to Benjamin Harrison

Dear Sir Philadelphia. Septr. 29. 1779.

When the Assembly appointed me a Delegate to Congress,¹ it afforded me that Kind of Pleasure *only*, which every Man must naturally feel, who is honour'd with the Confidence of his Country. I accepted of the appointment with reluctance, because I thought, at that critical Moment, it was necessary to commit a Trust of so much Importance, to Men of the most distinguish'd Abilities, & Integrity amongst us; but finding our first Characters unwilling to engage in publick Business, I determined at every Hazard to contribute my Mite, towards compleating the great Object in View, which we have hitherto supported with so much Firmness, & which I hope we shall in the End obtain.

The contracted Sphere in which I have moved, makes it impossible that I shou'd render any essential Service at this *particular Time*. I have been long enough in Congress to know, that it requires Men of extensive Knowledge, as well as of unshaken Fidelity to conduct the great Business of America with Propriety. I must therefore beg of you Sir to offer my sincere thanks to the Assembly for the good Opinion they were pleased to entertain of me, and to desire them to appoint some one to succeed me for the ensuing Year, which I am informd commences early in November.

One principal Motive that induces me to make this Request, I have already given, I may also add that I have for some Time past been in a declining State of Health, & as close an Attention to Business as I must necessarily subject myself to, is more than a weak Constitution can bear. I am Dear Sir, Your mo. Ob. Ser.

William Fitzhugh

RC (CSmH: Brock Collection).

¹ The Virginia delegates' credentials for their June 18 election had been presented by his colleague Edmund Randolph on July 22, but Fitzhugh did not take his seat in Congress until September 13. *JCC*, 14:861–62, 15:1048.

Elbridge Gerry to John Adams

My dear Mr Adams

Philadelphia Sept 29. 1779

It is with the greatest pleasure, that I inform You of the late Arrangement of our foreign affairs, in which You are appointed to negotiate the Treaties with G Britain & our Friend Mr Dana to be your Secretary. Mr Jay is to negotiate with Spain, Mr Carmichael to be his Secretary, & Colo John Laurens, Son of the late president Laurens, to be Secretary to Doctor Franklin.

I shall not be able at this Time to give You a History of the proceedings of Congress, relative to their foreign Affairs; the Embarrassments, Difficulties & Delays attending this Business, in Consequence of the Disputes between the late Commissioners, have exceeded every thing of the Kind, which I have before met with: So far have some of their Friends in Congress been influenced by Attachments & prejudices, as to render it impossible to preserve their Friendship & Confidence, & at the same Time to act with becoming Freedom & Independence.

I flatter myself that You will not hesitate a Moment, at accepting the highest office of Honor & Trust, under the United States, when elected thereto by the Voice of eleven States. Indeed it may be called unanimous, as there was only a single Vote for Doctor Franklin, who was not in Nomination, & it was said to have been put in by Delaware, at that Time represented by your old Friend Mr D——n.¹ Great Exertions were made to send You to Spain, & Mr Jay on the other Embassy, but the Opposition of your Friends produced from the Gentlemen in Favour of Mr Jay, a proposal of Accomodation, in Consequence whereof he was appointed by eight States. The Appointment of Mr Dana is in my humble opinion of the next Importance, & should he accept it, he may stand Candidate for the next Vacancy in Europe.

It is almost Time to acknowledge the Receipt of your esteemed Favours of the 27th of Novr 1778, & of the 10th & 11th Instant.² The first is of so early a Date as not to require an Answer, & a prudent Use shall be made of the last. Agreeable to your Request in the other, I transmit by the Bearer Mr _____ the Journals of Congress to the present Time, as far as they are printed, those for 1778 are now in the press. With Respect to the Circumstances of your first Appointment, It was in Consequence of a Nomination which I ventured to make, after having endeavoured to discover your Sentiments, on the Subject. I remember You was more reserved

than I tho't You ought to have been, & two of your Collegues then in York Town, to whom I proposed the Matter, objected to it, as not being agreeable to You. When the Nomination was made, if I rightly remember, the one that remained in Congress after You left it,³ expressed his Doubts on the Occasion, but being determined to try the Experiment, I informed the House that I had communicated to You my design of Nomination, & that, altho You was very silent on the Affair, I was fully persuaded You would not decline the Duty. This fixed the Matter in the Minds of your Friends. Mr R. Livingston was nominated by New York, & by recurring to the printed Journals, You will find the Voters in your Favour distinguished by Dots, Vote 3d page 547. It is some Time Since this Transaction happened, & I may be mistaken in some points, but I further recollect, that in conferring with You, I mentioned my former Intention of nominating You in the Fall of the Year 1776, & that Mr R H Lee told me, You had informed him, that You would not accept the appointment if made, which last Circumstance, not being remembered by You, was an additional Argument in my Mind for pushing your Election at York Town.

I conceived my self bound by every principle of Honour, Integrity, & policy, to "vote You clear of Suspicion &c dishonorable to the States."⁴ When the Question was proposed for inserting your Name in that Resolution, I opposed it as unjust, And the inclosed Copy of the futile Charge against You, & Evidence to support it, will I think warrant my Conduct. If unjust, then surely it was impolitick, as your future Usefulness would have been destroyed for a Time, at least I conceived it so, & was therefore bound in Honor not to sport with your Character. I mean not however to thro' a Reflection on the Conduct of Gentlemen of a different Opinion, they probably had a different View of the Subject, & may be highly commendable for a Measure, which it would have been criminal in me to have adopted. While I am on this Subject, give me Leave to observe, that your Letter to Congress, desiring a Copy of the Charges against You was yesterday read,⁵ on which I moved the House to comply with your Request; but It was objected to from several Quarters as an improper Measure, since the House had almost unanimously, by your late Appointment rejected the Charge, & had in the first Instance cleared You of the Animosities subsisting amongst the other Commissioners. It was also said, that the Admission of Weight in the Charge, was dishonorable to the House, which in that Case would have been in Duty bound to postpone your Appointment, untill You were acquitted of the Charge. The Objections were agreeable to my Mind & I withdrew the Motion, at the same Time informing the House, that I should furnish You with the papers requested.

Upon the Whole, I am of Opinion, that in the Esteem of Congress, your Character is as high as any Gentleman's in America. That as much is obtained in the Arrangement & Determinations of our for-

eign Affairs as could be expected. *That* if Matters had been driven further, We should have been more deeply involved in Animosities & Dissention, & have put a total Stop to our foreign Negotiations. *That* in Consequence thereof, We must, on the Return of Monsr Gerard, have sunk in the Esteem of our Ally, of the Court of Spain, & of all Europe. *That* Doctor Franklin ought to be recalled. *That* however some late Measures may not be equal to our Wishes, It becomes our indispensable Duty to support them with Vigour, & to listen no more to Insinuations without Evidence to support them. *That* an able, upright, firm Friend to America, is greatly injured in Doctor Lee, as well by the Impolicy of some of his⁶ friends, as by the undeserved Reproach of his Enemies. *But that* his Usefulness being destroyed, had it been practicable to have continued him in office, he could not have served with Satisfaction to himself, or Advantage to the publick. I have been well informed that Hints have been thrown out here, relative to my Votes for recalling Doctor Lee, which I do not relish; I have however suppressed my Feelings, because it is extremely injurious to the publick interests to have their Servants involved in disputes with each other. I shall return prepared to justify my Conduct in every point, & should any Attempts be made to misrepresent it, I shall be under the Necessity of shewing, that it has been ever directed in Congress by disinterested publick Motives; that it has been always free from Views, of extending my personal Interest *or Influence*, or of supporting *private Attachments*; & I think I can answer for the policy of the Measures which I have adopted. Perhaps You may think this deviating from Delicacy, but conscious of the Rectitude of my Intentions, I cannot bear the Breath of Reflection. I voted for the Recall of all the Commissioners included in the Resolution of the 20th of April last,⁷ as an indispensable Obligation arising from the Resolution itself, and also, as a preliminary Measure for fully inquiring into the Conduct of those Gentlemen, that the Character of each may be fairly known, & represented to the publick. The States divided on Doctor Lee & he was continued in Office, contrary in my Opinion to every principle of Government, where a Majority is to rule. This happened by the Mode in which the Question was put, "shall he be recalled", instead of "shall he be continued". In the latter Case a Division would have lost the Question, & he would have been recalled, which the States who were against him being apprized of, conceived the Matter as it stood, both unreasonable & unfair. After Congress had finished their Instructions, relative to negotiations, A Question arose, who should execute them? Reference being then made to a Resolution of the 15th of April last, "that Ministers plenipotentiary for these States, are only necessary for the present, at the Courts of Versailles & Madrid," a Motion was made, "That a Minister plenipotentiary in Lieu of a Commissioner be appointed to negotiate a Treaty of Alliance, & Amity & Commerce, between the united States of America & his Catholic Majesty," & the

Question was carried as follows, six ayes, one no, & four divided. Massachusetts was amongst the latter, Mr Holten & myself, aye, Mr Lovell & Mr Partridge no. I tho't it necessary to agree to this Imposition, *as* it was consonant to the Resolution of the 15th of April; *as* it would give the States a fair Oppertunity of electing their Ministers; & thereby of correcting the Error mentioned—as a Decision of the question in the Negative would have postponed a Negotiation with Spain, and for some Reasons beforementioned, & others with which I shall not trouble You. To convince You of the Necessity of this last Measure, I need only inform You, that before the Resolution was proposed, Congress endeavoured to appoint a Minister to negotiate the peace, & failed in the Attempt, there being six States for Yourself, five for Mr Jay, & one divided. Those who were for Mr Jay, then declared, they would never alter their Votes, unless they had a fair Oppertunity of electing a Minister for Spain, & accomodating Matters to the Sense of a Majority of the States, which was prevented by the Failure of a Vote of the States when divided.

One Word with respect to your Instructions, pray give me your Opinion on the Boundaries of Massachusetts Bay,⁸ & if any thing is amiss, Mr Samuel Adams, if he thinks it expedient, may inform the State thereof, that they may give Directions for having it rectified in Congress.

Cannot You attend to the Settlement of the Vermont Affair on the first of Feby next,⁹ agreeable to certain Resolutions sent to Massachusetts, which by her Delegates has claimed a Right to the Jurisdiction of those Lands.

I should not have troubled You with such a Volume of small politics, did I not conceive it impracticable to weary the patience of a great politician. My best Respects to Portia, her Irony is by sovereign power turned into Fact. I wish that our Friend General Warren may peruse this Letter, & no other person at present, as it may otherwise be the Cause of my commencing Disputes, which I wish to avoid. Brother Dana may correct my Information relative to your first Election. Adieu my dear Friend with Assurance of Sincerity in your very humble Sert,

E Gerry

[P. S.] Is not Caution necessary in sending Letters or papers, which on certain Occasions ought not to be communicated? It sometimes happens that one Friend is nearly sacrificed to support another. I was on a Commitee which reported £3000 sterg per Year for each of the Ministers & £1000 ster per Annum for each of their Secretaries, the Salary to begin & end as prescribed by a former Resolution relative to the Commissioners; but I expect a Reduction of the first Sum will be made by some of our patriots, & am in Favour of £2500 sterling for the first & half that Sum for the Secretaries.¹⁰

¹ That is, John Dickinson.

² These letters to Gerry are in Adams' letterbook, Adams Papers, MHi; the September 10 letter is also in Adams, *Works* (Adams), 9:483–84.

³ Perhaps James Lovell, who was the only Massachusetts delegate to remain in attendance with Gerry after John and Samuel Adams left Congress in November 1777.

⁴ In his September 10 letter to Gerry, Adams had written: "Thank you for voting me clear of suspicions, &c., dishonorable to the States. I have a bone to pick with Adams and Lovell for their votes on that occasion." *Ibid.*, p. 484. Adams was referring to charges made against him by the Foreign Affairs Inquiry Committee on March 24, and apparently to the vote of April 20 in which Gerry and Samuel Holten had opposed adding John Adams' name to the list of commissioners among whom "suspicions and Animosities have arisen," although Samuel Adams and Lovell had voted to include him on the list. See *JCC*, 13:368, 480–87.

⁵ According to Secretary Thomson's endorsement, Adams' September 10 letter to John Jay was read in Congress on September 29, although no action was taken on it. See *JCC*, 15:1122; and PCC, item 84, 1:89–92. This reference may therefore indicate that Gerry continued writing this letter on September 30, after beginning it on September 29.

⁶ At this point Gerry inserted an asterisk to which he keyed the following note in the margin. "I am informed, & I think from the best Authority, that a Resignation of Mr. Lee's, conceived in Terms that would do Honor to any Man on Earth, has been in the Hands of a Friend of his in Congress, & suppressed two Months, by which Means he has been prevented from avoiding a Supersedure." For additional information on this matter, see William Whipple to Richard Henry Lee, August 23; and James Lovell to Richard Henry Lee, September 27, note 4, and October 13, 1779, note 2.

⁷ That is, Silas Deane, Benjamin Franklin, Ralph Izard, and Arthur and William Lee. *JCC*, 13:487.

⁸ Gerry is undoubtedly referring to Massachusetts' northern—i.e., the modern Maine—boundary with Canada.

⁹ February 1, 1780, was the date set by Congress on September 22 for the start of their hearings on the Vermont issue. *JCC*, 15:1097.

¹⁰ Congress subsequently adopted salaries of £2,500 per annum for the ministers and £1,000 for their secretaries. *JCC*, 15:1143–45.

Samuel Holten's Diary

[September 29–30, 1779]

Sepr. 29. Wednesday. Congress made choice of the Honl. Mr. Dana Secy. to the Honl. Mr. Adams, and the honble Mr. Carmichael Secy to Mr. Jay, & Colo. Laurens Secy to Dr. Franklin.

30. Thursday. It is said the enemy are about embarking a large number of their troops from New York.

MS (MDaAr).

Samuel Huntington to Francis Dana

[September 29, 1779]¹

The United States of America in Congress assembled.

To the honourable Francis Dana Esqr. a Delegate in Congress

from the State of Massachusetts-Bay and a Member of the Council of the said State, Greeting.

We reposing especial Trust and Confidence in your patriotism, ability, conduct, and fidelity, do by these presents constitute and appoint you, during our pleasure, Secretary to Our Minister Plenipotentiary appointed to negotiate a Treaty of Peace, and of Commerce with Great Britain. You are therefore carefully and diligently to discharge the duty of Secretary, by doing and performing all things thereunto belonging. And in case of the death of Our said Minister, you are to signify it to Us by the earliest opportunity; and on such event, We authorise and direct you to take into your charge all Our public Affairs which were in the hands of Our said Minister at the time of his death, or which may be addressed to him before notice thereof, and proceed therein according to the Instructions to Our said Minister given, untill Our further orders.

Witness His Excellency Samuel Huntington Esquire President of the Congress of the United States of America at Philadelphia the Twenty ninth day of September in the year of Our Lord one thousand seven hundred and seventy nine, and in the Fourth year of Our Independence. Samll. Huntington President. LS

Attest, Cha Thomson Secy.

A true Copy, Attest Francis Dana

Tr (Archives du Ministère des affaires étrangères: Correspondance politique, États-Unis, vol. 10). In the hand of Francis Dana.

¹ For Dana's appointment this day as secretary to the minister plenipotentiary to negotiate peace, John Adams, see *JCC*, 15:1127–28.

John Jay to George Clinton

Dear Sir,

Ph'a 29 Sept. 1779.

I have so many things to say, and so little Time for the Purpose that I hardly know where to begin or conclude. The Inconveniences resulting from the Derangement of our Foreign affairs are at length removed. Doctr. Franklin with young Col Laurens are to remain in France, Mr J. Adams with Mr Dana for his Secretary is to negotiate a Peace with Britain, and Congress have been pleased to appoint me with Mr. Carmichael for my Secretary to negotiate Treaties of Alliance, Amity and Commerce with Spain. All this was done with most uncommon unanimity and Concord. The Importance of the Object and a Conviction that my Brother would under such Circumstances readily supply my Absence from the Family enduced me to accept the Appointment and I shall sail for France with Mr. Gerard. Mr. Huntington of Connecticut is now President of Congress, and I am persuaded will fill that Office with Propriety. The sooner you

provide for a Representation of your State here the better—God grant it may be an able one.

The Resolutions respecting Vermont if prudently managed will establish perpetual Harmony between you and your Neighbours. I am confident of this. Temper & firmness will be indispensable. Let us not differ with them about Trifles, or by unnecessary Heats retard a Settlement satisfactory to all. It gives me Pleasure to assure you that the State stands high in the Esteem of the Confederacy, and a Continuation of the same means by which it was obtain'd will be necessary to perpetuate it. At this Season it is particularly expedient that your Delegates should be wise and prudent Men. You will then find it easy to settle your Disputes advantageously.

I sincerely wish that the Chancellor and Mr. Hobart may be sent here,¹ as you know their Characters you will be at no Loss to perceive my Reasons for it. Mr. Duane will be a useful Man, but in my Opinion his Attention should be confined to general Objects, and ought by no means to interfere respecting the Vermont & New England Business, further than as a private, out of Door Counsellor. Morris will be serviceable²—His Abilities enable him to promote every Cause he may advocate, but if I may be permitted to advise he should restrain himself from taking any Part or pushing any Measure respecting your Disputes, without previous Concert with Livingston and Hobart. If this Plan be persued I have not the least Doubt of Success. I found it the most delicate affair to manage I ever was concerned in, and whoever it may be committed to, will soon concur with me in this Sentiment. It is of such great Importance to the State that no means however inconvenient, ought to be omitted to bring it to a happy Termination. Some members of Congress have just come in to do Business with me. Coll. Livingston will set off directly. I must, therefore, reluctantly conclude this Letter with assuring you that I am, your obt. & affect. Serv't,

John Jay.

RC (N: Clinton Papers). Clinton, *Papers* (Hastings), 5:288–91. RC damaged; missing material supplied from Tr.

¹ That is, Chancellor Robert R. Livingston and John Sloss Hobart (1738–1805), a justice of the New York supreme court. *DAB*.

² That is, Gouverneur Morris.

John Jay to Robert R. Livingston and Gouverneur Morris

My Dear friends

Philadelphia 29 Sept. 1779.¹

I address this Letter to you both because I have not Time by this opportunity to write to each separately. In a few Days I shall write you both particularly. Mr. Gerard being about to sail happily prevailed upon Congress to proceed rapidly & unanimously in arrang-

ing their foreign affairs. Young Coll Laurens is going Secretary to Doctr Franklin, and had the general approbation of Congress for that Office. Mr. Adams is appointed to manage the Business of Pacification with Britain, and Mr. Dana has been chosen his Secretary. I am going to Spain to treat with that Court on the Subject of Alliance, Amity, Commerce &c and Mr. Carmichael is my Secretary. On all these matters I wish to write particularly because the Knowledge of them will be useful especially to Morris. I exceedingly regret his not being sent to Europe where his abilities would have done Honor as well as Service to his Country—but it seems that Period is not yet arrived, & Congress must for some time longer remain his Field. I shall write a long Letter to the Governor, on the Subject of the Delegation from New York and the Settlement of our New England and Vermont Disputes, which are now in a good Train, and if prudently managed must terminate to our Satisfaction. Of this I am certain. In my Opinion Duane, Hobart and yourselves ought to be sent. The first is well acquainted with the Minutia of the Controversy and his Information from time to time on the different Points that may be the Subjects of Investigation will be useful. Hobart is very agreeable to the People of New England and this Circumstance independent of his other Qualifications, merits Attention. Your Manners, Abilities & Address will give New York great Advantage in contested Matters, and if Morris governs his Imagination will conciliate Friends.

I wont bid you farewell in this Letter having much to say in the others which I shall certainly write. I shall conclude therefore with an Assurance which it gives me Pleasure to repeat that I am, Your Friend,

John Jay

RC (NH: Robert R. Livingston Papers). Addressed: "The Honble Robt R. Livingston & Govr Morris Esqrs."

¹ This day Jay also wrote a brief letter to "Lt. Colonel [Marinus] Willet of the New York Troops with Major General Sullivan." Willett had apparently been sending letters to his wife through Jay, who now explained that since he was about to leave Philadelphia for Spain, letters for Mrs. Willett should be addressed "to the care of Mr. [Francis] Lewis." Emmet Collection, no. 361, NN.

James Lovell to Samuel Adams

Dear Sir

Philada. Sepr. 29th. 1779

Your short Letter of the 16th reached me Today. I thank you for yr. kind Attention in sending me so often the Print of Thursday.

I have an Immensity of Writing at this particular Period on my Hands. I doubt not our worthy Friend J.A. will communicate to you part of the Cause of my Hurry.

Both New York & Vermont drove so hard at each other that we were obliged to take up the matter, but not without the request of

both and a Promise to submit to our Decision. Jay pushed that because two Parties had consented to leave their *whole* dispute to us, we shd. *oblidge* others to do the same.¹ But I hope our State will never let Congress be a Tribunal to decide Bounds & Right of Soil. I think we have got so far without committing Enormities, *in that Case*.

But can I say so in Regard to Arthur Lee? However, I persude myself, *his* Honor is safe, and that he will spare a certain Body of Men as much as he possibly can and not be highly unjust to himself. You will hear much about acting in Concert with Count D'Estaing, and driving the Enemy from New York. But, I wish you would promote a Forwardness for aiding in a Blow to destroy Halifax. I tell you in Confidence that I more than suspect it to be his main Object, as the Supplies from thence are the only means of Byrons being in any Posture for operating.

The Nova Scotians want only arms & amunition to enable them to do their own fighting and purchase Independence.

I will get the Name if possible of the Scoundrel who wrote the french Letter.

I have been very ill; but am mending. But this sitting up till Morning will soon throw me aback unless I quit the Practice. I have much to say but my Head is not clear. I must go to my Pillow. Affectionately, Yr humb Sert. JL

RC (NN: Adams Papers).

¹See John Jay to Thomas Chittenden and to George Clinton, September 25, 1779.

James Lovell to Arthur Lee

Sir

[September 29? 1779]¹

I have lately heard what it is interesting to you to be apprised of.

It is said that Congress, having determined to appoint a *Minister Plenipotentiary* in Lieu of a *Commissioner* for the Court of Spain, did on the 27 of Sepr. appoint J Jay who was in Nomination with you & one other: That on the 29th Mr. Carmichael was chosen his Secretary: That Silas Deane has been arrested in yr. Name.

A Friend to your merits.

RC (MH-H: Lee Family Papers). In Lovell's hand, though not signed.

¹This undated letter was probably written on or soon after September 29, the day William Carmichael was selected as John Jay's secretary, a decision reported in this brief letter.

Nathaniel Peabody to Josiah Bartlett

No. 9. Wednesday mornng 29th Sept 79.¹

Mr. Peabodys Compliments to the Hon[orab]le Mr. Bartlett, & begs leave to inclose a paper, & Some Copies of Genl Burgoynes Private letters—the Post did not arive here till ten Clock last eveng is now Going off. Mr. Peabody is happy to inform that, Count D Estaing is Now on our Coast with 21 Ships of the line, 6 frigates & 6,000 land forces, to Cooperate with the American Arms the remainder of this Campaign, at the direction of the french minister here—in Consequence of which the necessary orders are Sent to Genl Washington with ample Powers. The Strength of the french fleet & army is to be kept a Secret as well as the intended operations. The States will be addressed to lend Such aid as the Genl. may request. 180 Hessian prisone[r]s arived at Philad—the 26.

RC (NhD: Bartlett Papers). In Peabody's hand, though not signed.

¹ This day Peabody also wrote a letter to William Whipple, which has not been found, but in his October 18 reply Whipple wrote: "Your favor of the 29th Sepr came to hand before I left Boston, but time not permitting me to acknowledge the receipt of it per last post, I take the earliest opportunity after my arrival here to thank you for the information it contains."

"Surprising events it seems have taken place since I left you—the causes you leave me to conjecture 'tho you flatter me with hopes of something more particular hereafter. I hope my curiosity will be satisfied per next post for I assure you it is much raised, were it not for the trouble it wod give you I should ask for a particular History of a few days subsequent to the 25th Sepr. I am puzled to find out from whom the 8 Votes could come, I could not possibly suppose so large a proportion could be lost to every sense of Honour and justice, however, I am sure the Character that the Malevolence of some People are endeavoring to destroy will rise superior to all his Enemies. The other Vote is not so much to be wondered at, for in days not more Corrupt than the present even the presence of the Deity did not keep a greater proportion than Eleven out of twelve in the paths of Virtue, but is there not some mischief still lurking behind the curtain. Why should one person be called Minister Plenipotentiary, and the other whose Business is of much greater importance have the title of Commissioner only? I must defer saying any thing more to you on this subject till I have a more particular accot. of things." Roberts Collection, PHC.

John Fell's Diary

Thursday Sepr. 30th. 1779

Commercial Committee. Congress. A number of Letters, Memorials &c were read. PM Marine Committee. Capt Read¹ appointed to the Frigate Bourbon.

MS (DLC).

¹ Capt. Thomas Read, who had previously commanded the Continental frigate *Washington* and the brigantine *Baltimore*.

Samuel Huntington to Thomas Jefferson

Sir

Philada 30th Sept 1779

You will receive herewith enclosed a Copy of an Act of Congress of the 29th instant with Copys of the letters refferred to in it recommending to the Executive of Virginia the stationing of and safe keeping of the Convention Troops in case of invasion and to advise the Board of War of their proceedings.¹

I have the honour to be with great respect, your Exy's most obt & hble Servt,
S. H. President

LB (DNA: PCC, item 14).

¹ On September 27 the Board of War delivered to Congress two letters from New Jersey, by Maj. Elisha Walton and Lt. Jacob Wolcott, reporting the recent arrival of British reinforcements at New York and prospects for a new southern expedition. These were immediately referred to the Virginia delegates, who were ordered to "confer with the Board of War, and report thereon with all convenient dispatch," which they did on the 29th. The delegates' report, in the hand of Cyrus Griffin and written on the verso of the Board of War's September 27 letter to Congress, reads: "The delegates of Virginia to whom were refered some Intelligence from the Board of War of September 27th beg leave to report.

"That should an expedition take place by the Enemy of eight Thousand Men to the State of Virginia they are of opinion the Convention Troops might be rescued with great facility unless some expeditious and effectual measures are taken to prevent it. Therefore resolved that the Governor and council of Virginia be authorised and requested to seporate the said Troops of the Convention if necessary, or to do whatever shall appear to the executive best calculated for the safety of those Troops and the public service."

The enclosed September 29 resolve simply endorsed Griffin's recommendations and ordered copies of Walton's and Wolcott's letters transmitted to the Virginia governor. Although Secretary Thomson did not record the matter in the journals, Congress also received this day another, related letter from the Board of War, one calling attention to the concern of Col. Theodorick Bland, commander of the Convention Army guard at Charlottesville, to the vulnerability of his post to enemy raid. As this letter is endorsed by Thomson "read 29," it seems probable that it was discussed during the debate on Griffin's report. See *JCC*, 15:1111, 1126-27; and *PCC*, item 147, 2:485-96, 501-4.

James Lovell to Horatio Gates

Dear General

Confidential

Phila. Sep. 30th 1779

Your favor of the 26th has reached me with 3 inclosed. Arthur Lee is sacrificed. John Jay goes to Spain with Carmichael for Secretary. John Adams is to Negotiate Peace and alliance with England, Dana is chosen his Secretary; and Col. John Lawrence is chosen Secy. to Franklin at Versailles. 3 of the 5 carry no ill Look. I was nominated for Versailles as Secy.¹ and am sure that my Resolution is wanted there to disperse the fascinating crew of Stock Jobbers who live upon the Secrets of our Minister. But having from seven Months Conviction in an Heel-tripping Contest seen the Necessity of pushing a

Vote that "no Member while acting here or for nine months after shd. be chosen into Office,"² I could not consent, tho the vote fell, to stand in Nomination, where the whole Run of this Business wears the Face of Shuffling & cutting in a Closet by ourselves for "*who shall be in?*" Some of us look as calm as if we were sure we had *laid the Devil*. Others look as much relieved as David was when he became *certain* that the little Innocent was beyond hope, *dead*.³

The Farmers here each possessed by as many Demons as would answer to drown a whole Herd of Swine,⁴ seem to intend to raise the Price of Their Commodities, now wanted to supply a Fleet and Army that, otherwise, would put the finishing Hand to all our Toils for Salvation.

I fear that no Stroke can be struck in the Centre, on this and other Accounts. Wherefore Halifax is the most probable Beginning. As Byron can never refit without Aids from thence My Heart & Soul is bent on the Independence of Nova Scotia.

9/10ths of the People want only arms & Amunity to perform the Revolution, in a day.

Think, act, encourage to that end.

The Gazettes are not worth sending.

You know that I am Yours,

J L

I have seen Fouquet. I *did* & *shall* patronize him. But where, in God's name is *hard* money to be had?

RC (NH: Gates Papers).

¹ Lovell's nomination for this post is not mentioned in the journals. *JCC*, 15:1115.

² Lovell had supported John Mathews' "self-denying" motion as a way of keeping pro-Deane delegates from the foreign service. See Henry Laurens' Notes of Proceedings, September 24; and Lovell to John Adams, September 27, 1779.

³ 2 Sam. 12:15–23.

⁴ Matt. 8:30–32; Mark 5:11–13.

John Dickinson's Notes on Marine Affairs

[September ? 1779]¹

Marine Affairs to be managed by a Superintendant & three Boards

That the marine Affairs of these States be managed by a Superintendant of the Admiralty & by three Boards of Admiralty, one at Boston for the States of N.H., M.B., R.I., and C., another at Philadelphia for the States of N.Y., N.J., P., D. & M. and the other at Charlestown for the States of V., N.C., S.C. & G., or at such other places as Congress shall appoint, each of which in Case of Danger may adjourn to another place.

Of what Officers each Board is to consist

That each Board shall consist of the following Officers to be appointed by Congress—A Treasurer, Comptroller, & Surveyor, and

Officer of the Admiralty shall take an Oath, & give Security for faithful performance of his Duty.

Duties of the Superintendant

That the Superintendant shall preside at that Board residing where Congress shall sit, or that shall be nearest to it, and at any other of the other Boards when present. He shall diligently attend to the Conduct of all other Officers belonging to the Admiralty, and take Care, that they discharge their respective Duties, and for that purpose he shall visit the other Boards twice a Year at least, shall make strict Enquiry into the State of all the Yards, Stores, and general Management of each Board, and shall inspect the Books, Orders, Vouchers & Accounts relating thereto. He shall endeavour to find out those qualified for Officer in the Navy, & shall in writing recommend such as he shall judge to be persons of Merit, and when any shall be appointed whom he shall think not duely qualified, he shall give Information in Writing of his Objections to a Committee of Congress, to be appointed for the purpose of conferring or corresponding with him from time to time as the Service may require.

Powers of the Superintendant

He shall have power to suspend any Officer in the Admiralty appointed by Congress untill the Pleasure of Congress thereon be known, of which Suspension & of the Cause thereof he shall immediately transmit an Account to the said Committee—to arrest or suspend any Officer in the Navy, order Trials, appoint Courts martial conformably to the Rules & Regulations of Congress, & confirm their sentences except in capital Cases with the Approbation of the Committee aforesaid to direct the Cruizes of the Fleet & ships of War belonging to the United States, & give Orders & Instructions to the Commanders—to appoint and remove as he thinks proper, a Storekeeper, Master of the Yard & Clerk of the Yard for each Board.

Duties of each Board

Each of the said Boards shall collect all such Plans as may tend to the Improvement of the Navy, whether it be in the constructing, arming, sailing or fighting of Ships—obtaining Supplies in the cheapest & most effectual Manner, better ordering or regulating the Navy, or in any wise promoting the public Welfare. They shall also collect reports of all private Ships of War, their names, Burthens, Places they belong to, Number of Men & Guns, Weight of Metal, & Names of the Commanders, of all ships in the Merchants Service, their Burthens, Number of Men (& Guns, if Letter of Marque), Rates of Wages—& of all Imports & Exports—All which together with a Return of all their Proceedings & Accounts, ascertaining the Number of Persons employed, their Names, Trades, places of Abode, Time of Service & Wages, and an accurate State of the Admiralty & Navy, & such Observations thereon as shall occur & be by them Judg'd useful, they shall annually transmit to Congress.

They shall provide that Distribution be made of the shares in all

Prizes among Officers & Men according to the Rules & Regulations of Congress as soon after the Sale of each prize as is possible, and that the Share belonging to the United States be paid to the Treasurer of that Board under whose Direction such sale is made, to be by him accounted for—and that Officers & Men are duely paid off.² They shall take Care that ships suffer no Damage in Harbour, & that supplies or stores are not embezzled. They shall direct the Oeconomy of Navy ships of war belonging to these States, ascertain the Mode in which Accounts shall be kept & Returns made; hear & adjust all Disputes between Officers not cognizable by Courts Martial, and promote Harmony, Order & good Discipline in the Navy. They shall from Time to Time inform Congress, what ships & of what size should be built & rebuilt or purchased, with accurate Estimates of the Expence thereof & of fitting them out, and within what Time such Ships can be built, rebuilt & fitted for Sea—they shall also in the Month of January annually transmit to Congress the like Estimates of the Sums of Money that will be required for the Expences of the ensuing Year, ascertaining the particulars & the Expence thereof. They shall take Care of sick & wounded Seamen & prisoners of War.

Powers of each Board

They shall have power to fit, repair, man and victual the Ships of War belonging to these States, to engage Seamen, Marines, & Artificers, to purchase & contract for all Supplies & Stores, to import such of them as cannot be advantageously procured on this Continent, & to form Magazines allways to be kept necessarily replenish'd, diligently attending to all these Services, so that they may be performed in the cheapest & best Manner.

Treasurer's Duties

The treasurer shall receive all Sums ordered by Congress, to be issued to the Board, & to account for them as also the Prize Monies belonging to the U.S. giving a Receipt whenever he receives, & taking one whenever he pays Money, keeping these last as his Vouchers. He shall make no payment but on Warrants of the Board, to be first entered in the Comptroller's Office, & signed by him.

Comptroller's Duties

The Comptroller shall examine all Claims & Accounts whatever with the Vouchers produc'd to support them relating to the Navy or Admiralty, & how far they agree with Allowances made by Congress, reducing overcharges & rejecting such as are unjust. They may examine Witnesses on Oath or Affirmation, which they may administer. He shall make his Report on such Claims & Accounts to the Board, who are thereupon to issue Warrants as they judge proper on the Treasurer for payment.

Surveyor's Duties

The Surveyors shall survey the Supplies & Stores of which an exact Account specifying the Sorts, Number or Quantity & Quality, shall be given to him before or at the Time of delivering them and

also the Ships & Works, transmitting to the Comptroller's Office monthly Returns of all Articles received & issued in his Department. He shall diligently examine whether the Supplies & Stores are good in kind, and the Sort, Quantity or Number, & Quality agree with the Accounts produced for them, and shall report thereon in writing to the Comptrollers. He shall also take Care, that the Supplies & Stores are kept so as to be most effectually secured against Damage or Embezzlement and that the latter, particularly Timber & plank, according to their Size & Quality are used in the properest Manner for preventing any kind of Waste.

Secretaries Duties

The Secretary shall record all orders, Contracts, Bills, Warrants & Minutes of the proceedings of the Board; registry & Description of every Ship built or purchased by the Board to which he belongs, & if built or purchased by the Board at Boston or Charlestown, he shall transmit a Copy thereof to the Superintendant to be recorded by the Secretary of the Board usually residing with or nearest to Congress, who shall also record all Commissions granted to Officers of the Navy. The Secretary of each Board shall enter in the Journals of the Board the Day on which every Ship sails or arrives; and every Commander of a Ship shall on his Arrival immediately send Intelligence thereof in writing to the Secretary of the Board within whose District he arrives, of the Events of the Cruizes, the Cause of his Arrival, & the Supplies or Repairs required, who shall deliver or transmit an Account in writing of such Sailing, arrival & other Occurrences to the Superintendant, to be communicated to & reported by the Committee aforesaid to Congress.

Storekeepers <Duties>

The Storekeepers shall give Receipts for what he receives, & take Receipts for what he delivers, ascertaining the Sorts, Quantity or Numbers & Quality. He shall not deliver any Article but on Warrant from the Board, & shall make monthly Returns to the Surveyor of what he has received & delivered. He shall take all possible Care to prevent Damage or Embezzlement.

Master of the Yard

The Master of the Yard shall overlook the Workmen, carefully keep & apply what may be committed to his Trust, so as to prevent Damage & Embezzlement, or any Loss or Detriment to the public by improper Use of Stores.

Clerk of the Yard

The Clerk of the Yard shall keep a Muster Roll of all persons employed in the Yard—with an Account when they entered into the Service, how long they continued in it, when absent, & their Wages.

MS (PHi: Logan-Dickinson Collection). In the hand of John Dickinson.

¹ Long dissatisfied with the arrangement of its marine affairs, Congress had appointed Dickinson, John Collins, and William Whipple on June 9, 1779, "to pre-

pare a plan for conducting the marine business of the United States and ascertaining the duties and powers of the commissioners." *JCC*, 14:708. Dickinson's notes, the only evidence of the committee's work, may have been composed at any time in the ensuing months but probably late in the committee's deliberations in September, for on October 1 Congress directed the Marine Committee "to prepare and report a plan of regulations for conducting the naval affairs of the United States" and discharged "the committee formerly appointed for that purpose." *JCC*, 15:1133. Dickinson himself appears to have been absent from Congress from September 28 to October 20, perhaps on the "Trip to Kent" that he had mentioned in his letter of September 25 to Caesar Rodney. Although Dickinson's plan was apparently never considered by Congress, it nonetheless attests to his far-ranging interests as a delegate.

For the Marine Committee's October 28 report and Congress' resolutions regarding the new Board of Admiralty, see *JCC*, 15:1216–18. For the election of the board's commissioners, see Samuel Huntington to Thomas Waring, November 27, 1779. The defects of the Marine Committee and the powers and duties of the new Board of Admiralty are discussed in Charles O. Paullin, *The Navy of the American Revolution: Its Administration, Its Policy and Its Achievements* (Chicago: Republican Printing Co., 1906), pp. 181–91.

² In the margin beside this paragraph Dickinson wrote: "Quere, if all Prizes should not be given up to the Officers & Men, deducting 25 perCent for building Hosp[itals] & such other purposes as the Congress shall judge proper."

Elbridge Gerry's Draft Letter to Samuel Holden Parsons

Sir

[September 1779]¹

The Board of Treasury in Answer to your Letter of the 6th Aug last to Congress & of the 30th of Augt to the Board have directed me to inform You that your Inferences from the 6th & 8th Articles of the Resolution of the 29th June last appear to them altogether groundless.²

The Board are not acquainted with any Act of Congress that favours the Idea of redeeming the Bills of Credit or other Securities of the united States at a Discount. Congress have a Right to draw for Monies which they may have in Europe at the current Exchange, & persons may purchase or refuse such Draughts according to their opinion of the Terms on which they are offered, but this the Board conceives to be very different from your own & every other persons Idea of redeeming the Bills of Credit at a Discount.

The 6th & 8th Articles of the Resolution of Congress of 29th June last mentioned in your Letter appear to the Board to have been necessary to induce Lenders to place their Money in the Funds; notwithstanding they knew that by the Resolution of Congress of the 2d Jany last, all Bills issued before the 1st Jany 1780 were funded & to be redeemed on or before the Year 1797; for as Congress had not in June last come to the Resolution which they have lately adopted not to emit more than 200,000,000 Dollars in Bills of Credit, & the Depreciation of Money continued without a prospect of it Stopping, the Lender who wanted this Interest of his Money for Subsistence

must unavoidably suffer by the Depreciation which increased with the Quantity, unless the Interest was encreased in proportion & if at the End of the year or the Term for which the Money was hired, he was obliged to receive the principal & be thus deprived of the increased Interest he would receive very little Benefit from such an Increase, & then the Loans would be discouraged, to prevent which the Articles referred to were adopted.

Again a person who had placed in the Funds a Sum of Money at a certain depreciated Value, & proposed to improve it in Commerce or in any other Way after taking it out of the Funds, must certainly be a looser should the Depreciation be increased at the Time of his receiving the payment of the principal, which further evinces the Necessity of the articles referred to. It is nevertheless evident, that to Lenders who propose to keep such of the Bills of Credit & other Securities of the united States as they do or may possess untill the Time of redemption, the Encouragement offered by the Resolutions of June last is not so essential, but the Number of such Lenders is few when compared to the others.

Upon the whole, the Board are clearly of Opinion that the Bills of Credit which any person may hold at the Time of Redemption will be redeemed at the nominal Value, And that in paying off the Loans the strictest Justice will be done to the Lenders.

The Board have determined to submit this Letter to the Consideration of Congress, that receiving their Sanction You may have the perfect assurance that it [is] agreeable to their Sentiments.

Ordered that a Copy of the Letter this Day agreed to be transmitted to Congress & if approved by them that it be signed by the Auditor General & transmitted to General Parsons.

MS (DNA: PCC, item 161). In the hand of Elbridge Gerry.

¹ General Parsons had written to Congress on August 6 to express his alarm over the prospect that the effect of the sixth and eighth articles of Congress' fiscal resolves of June 29 would be to redeem Continental bills of credit "at a discount." Parsons' letter had been referred to the Board of Treasury on August 16, but a sense of impending financial ruin led him to write directly to the board soon after he learned of Congress' action from President Jay.

As Parsons' letter to the board is dated "Camp near West point 30th Augt. 1779," it seems probable that it reached Philadelphia about a week later and that Gerry would have drafted this proposed reply about the second week of September. No evidence has been found to indicate whether the board ever submitted a formal recommendation to Congress on the subject or that Congress endorsed Gerry's concluding proposal to have this letter sent to Parsons over the signature of the auditor general. The MS is located in Congress' file of "Letters from General Officers," with Parsons' letters of August 6 and 30 in PCC, item 161, fols. 347-50, rather than in any of the groups of treasury papers and reports. See also John Jay to Parsons, August 18, 1779.

² Parsons' "Inferences from the 6th & 8th Articles" are difficult to interpret. The two articles at issue, which were adopted as instructions to Continental loan officers for "facilitating" a newly authorized domestic loan of \$20,000,000 "at an interest of six percent. per annum" read as follows:

"6. That each lender shall have his election either to receive the principal at the

expiration of three years from the date of the loan, or to continue it in the funds on interest until the whole amount of continental bills in circulation shall not exceed the sum in circulation at the time of the loan."

"8. That when the interest on monies which have been or may be placed in the several loan offices on or after the first day of March, 1778, shall become due and be paid, the same, until some more accurate standard of value can be devised, shall be increased in proportion to the increase of the sum of continental paper money which may be in circulation after the date of such loans respectively." *JCC*, 14:784–85. As the interest accrued would be paid in depreciating Continental dollars, Congress struggled to find a formula for paying interest that would neither discourage lenders nor outrage the general public. By coincidence, the very day Parsons' letter was received, the delegates also spent some time debating a proposed "table of the first year's interest" submitted by the Board of Treasury, but upon a motion from Gerry himself the proposed "table" was recommitted to the board. *JCC*, 14:969–70.

Although Congress probably never responded directly to allay Parsons' concerns over implementation of its June 29 resolves, the Board of Treasury did ultimately publish tables of interest to be paid on loan office certificates embodying a scale of payment designed to protect Continental lenders somewhat. Two of these are extant. Both were issued over the name of the secretary to the board, Robert Troup, and one bears the date December 3, 1779. See Evans, *American Bibliography*, nos. 16,634, 16,635. The scheme incorporated in these tables tied the annual rate of interest paid in current money to two figures: the face value of Continental bills in circulation on the date of issue and on the same date one year later. Although certificates were issued to bear 6 percent interest, the level of interest provided in the published treasury tables was allowed to float between approximately 14.5 percent and 10.7 percent for certificates purchased between June 1, 1778, and February 28, 1779. For Congress' struggle with the national debt before the office of superintendent of finance was created in 1781, see also William G. Anderson, *The Price of Liberty: The Public Debt of the American Revolution* (Charlottesville: University Press of Virginia, 1983), pp. 3–12.

Cyrus Griffin to Benjamin Franklin

Sir Copy Philadelphia, September. 1779.

I do myself the honor to enclose a packet of letters which being carried by your Servant to the place directed will greatly oblige me. We thank you for the trouble of attaching a Bond executed by the late Earl of Traquair.¹ This Letter will be Conveyed by Mon. Gerard, a most valuable and most amiable Man indeed! And who has given all the satisfaction possible in his public and private Character. No doubt you were astonished how any part of Congress should wish that all the Commissioners might be recalled to Philadelphia. It was for the purpose of explaining those unhappy dissensions and animosities which have arisen among them; and tho Yourself would have left Europe at a most critical period, yet returning to France with accumulated honors after receiving the blessings of America and convincing Congress in what path to walk upon this unhappy and most disgraceful business, perhaps the whole matter impartially considered the united States would have found great benefit if such a plan had taken place. The French are a gay people and *entertain* a good deal; I am afraid Mon. Gerard has thought the Delegates in

Congress were rather deficient in that respect; but really the expence of every article is so very enormous, and the allowance from the different states so very trifling, that a person of a handsome *American* fortune could not entertain frequently without absolute ruin in the period of two or three years—and especially since some of the states think it best for their delegates to live in seperate houses. In the course of conversation you would do some of us a singular favor to hint this matter to Mon. Gerard—since it has the appearance of not paying proper Civilities to a man of his worth and elevated station.

I have to honor to be, Sir, Your most obedient Sert.

C. Griffin

RC (PPAmP: Franklin Papers). In the hand of Cyrus Griffin.

¹ John Stuart, sixth earl of Traquair, father of Griffin's wife, Christina.

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